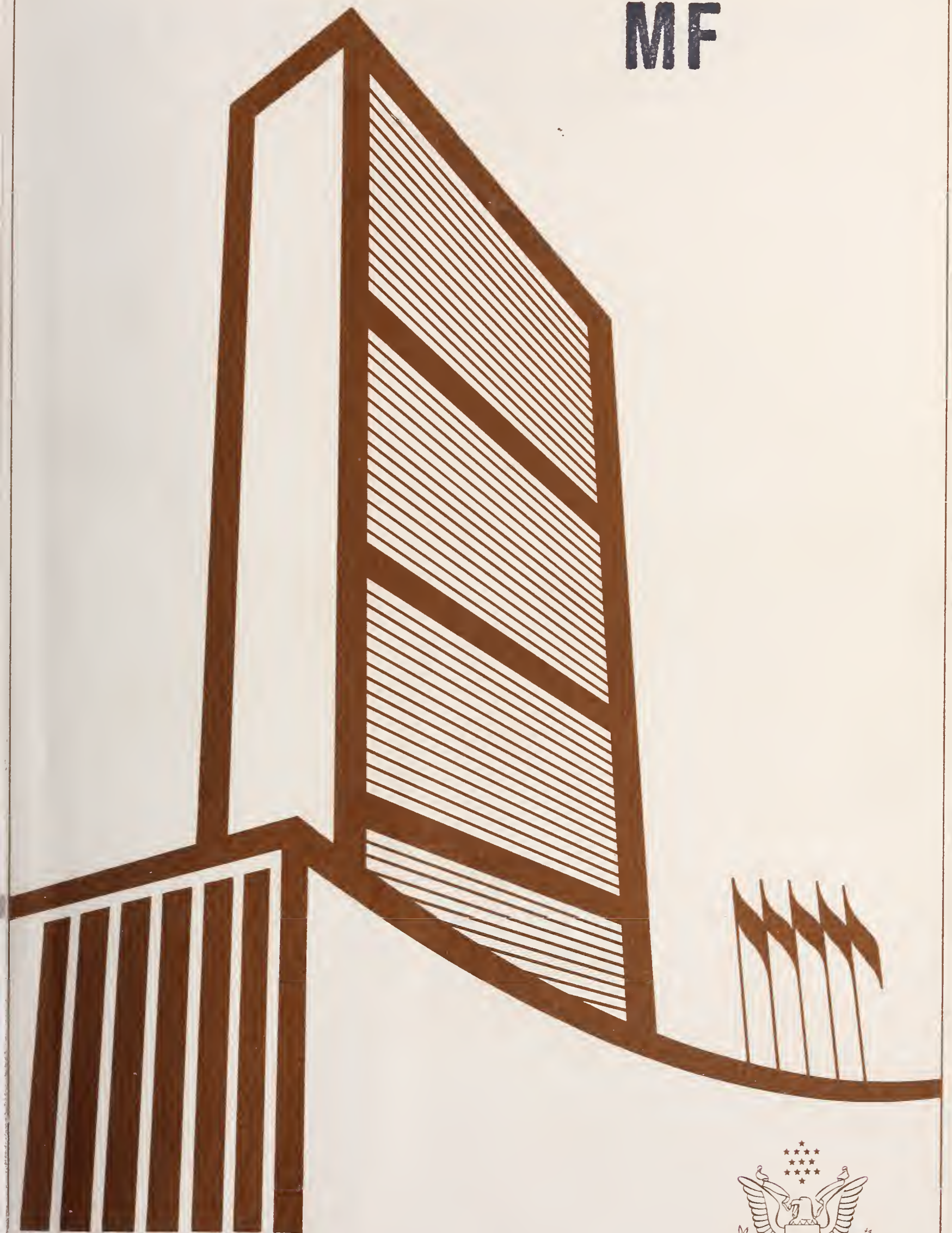


# U.S. Participation in the UN

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Report by the President to the Congress for the Year 1975



# **U.S. Participation in the UN**

**Report by the President to the Congress for the Year 1975**

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ACRONYMS AND SHORT FORMS

AEC	--U.S. Atomic Energy Commission
AID	--U.S. Agency for International Development
ACABQ	--Advisory Committee on Administrative and Budgetary Questions
ACC	--Administrative Committee on Coordination
Committee of 24	--Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CCD	--Conference of the Committee on Disarmament
EC	--European Communities
ECA	--Economic Commission for Africa
ECE	--Economic Commission for Europe
ECLA	--Economic Commission for Latin America
ECOSOC	--Economic and Social Council
ECWA	--Economic Commission for Western Asia
ESCAP	--Economic and Social Commission for Asia and the Pacific
FAO	--Food and Agriculture Organization
GATT	--General Agreement on Tariffs and Trade
HEW	--U.S. Department of Health, Education, and Welfare
IAEA	--International Atomic Energy Agency
IBRD	--International Bank for Reconstruction and Development
ICAO	--International Civil Aviation Organization
IDA	--International Development Association
ILO	--International Labor Organization
IMCO	--Intergovernmental Maritime Consultative Organization
IMF	--International Monetary Fund
ITU	--International Telecommunication Union
NASA	--U.S. National Aeronautics and Space Administration
NATO	--North Atlantic Treaty Organization
OAS	--Organization of American States
OAU	--Organization of African Unity
OECD	--Organization for Economic Cooperation and Development
PLO	--Palestine Liberation Organization
UNCITRAL	--UN Commission on International Trade Law
UNCTAD	--UN Conference on Trade and Development
UNDOF	--UN Disengagement Observer Force
UNDP	--UN Development Program
UNEF	--UN Emergency Force
UNEP	--UN Environment Program
UNESCO	--UN Educational, Scientific, and Cultural Organization
UNFICYP	--UN Force in Cyprus
UNHCR	--Office of the UN High Commissioner for Refugees
UNICEF	--UN Children's Fund
UNIDO	--UN Industrial Development Organization
UNITAR	--UN Institute for Training and Research
UNRWA	--UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	--UN Scientific Committee on the Effects of Atomic Radiation
UPU	--Universal Postal Union
WFP	--World Food Program
WHO	--World Health Organization
WIPO	--World Intellectual Property Organization
WMO	--World Meteorological Organization





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PART I.

POLITICAL AND SECURITY AFFAIRS

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Under the UN Charter, authority to consider international problems is vested in both the Security Council and the General Assembly which in turn have created a wide range of subordinate bodies to carry out many of their responsibilities.

The UN Charter gives the Security Council primary responsibility for the maintenance of international peace and security and assigns a special role to the five permanent members--China, France, U.S.S.R., United Kingdom, and United States. Decisions on substantive matters require the concurring votes of the permanent members. The Charter requires the Security Council to be so organized as to be able to function continuously and empowers it to take various types of action with respect both to the pacific settlement of disputes and to threats to the peace, breaches of the peace, and acts of aggression. Among the more important bodies established by the Security Council in carrying out its responsibility for the maintenance of international peace and security are the UN Force in Cyprus (UNFICYP), the Rhodesian Sanctions Committee, and the two peacekeeping forces established to monitor the cease-fires following the 1973 war in the Middle East--the UN Emergency Force (UNEF), which operates between Egypt and Israel, and the UN Disengagement Observer Force (UNDOF), which operates between Israel and Syria.

No one issue dominated Security Council deliberations in 1975, although several near-perennial topics were again considered. Of 57 meetings (compared to 52 in 1974), 11 were devoted to the situation in Cyprus and 10 to the Middle East. Several of these meetings were concerned primarily with extending the mandates of UNFICYP, UNEF, and UNDOF. Slightly less than a third of the meetings (discussed in Part III of this report) were related to problems of colonialism and decolonization in Namibia, Spanish Sahara, and Portuguese Timor. During 1975, 16 meetings--far more than usual in recent years--were concerned with applications for UN membership. Six states--Cape Verde, São Tomé and Príncipe, Mozambique, Papua New Guinea, Comoros, and Surinam--were subsequently recommended for membership while three others--the Republic of Korea and the two Viet-Nams--were not.

Aspects of all these questions were also considered by the General Assembly, which may consider any matter within the scope of the Charter, although it may not make recommendations on disputes or situations under active consideration in the Security Council unless the Council asks it to. Acting on the Council's recommendation, the Assembly voted to admit six new members to the organization, more than in any one year since 1962.

The Assembly meets at least annually--in the fall--and has frequently held special sessions, emergency special sessions, or resumed sessions at other times in the year. In 1975 the Assembly held its seventh special session, on development and international economic cooperation, September 1-16 (see Part II), and its 30th regular session, September 16-December 17. Most of the Assembly's regular sessional work is carried out, in the first instance, through seven main committees of the whole, established on a subject-matter basis. The Assembly has also established numerous subsidiary bodies whose meetings extend beyond regular Assembly sessions. Among the more important of these concerned with political questions are the Committee on the Peaceful Uses of Outer Space, the Special Committee on Peacekeeping Operations, and the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Conference of the Committee on Disarmament, which meets each year in Geneva, is not formally a part of the UN system, but it reports each year to the General Assembly and conducts much of its work in response to General Assembly requests. Its report, in turn, forms the basis for many of the recommendations made by the United Nations on disarmament matters.

One measure of world concern with the problems of disarmament and arms control can be seen in the amount of attention accorded them in the United Nations. In 1975 over half the time of the 30th General Assembly's First Committee (Political and Security) was devoted to 19 agenda items on aspects of disarmament. Twenty-five resolutions were adopted on such specific aspects of the problem as control of chemical, incendiary, and mass destruction weapons; reduction of military budgets; establishment of nuclear-weapon-free zones in various parts of the world; economic and social consequences of the arms race; cessation of nuclear tests; and prevention of environmental modification of military purposes.

On another important political issue, the Assembly, on the recommendation of the First Committee, in 1975 adopted two resolutions that took sharply conflicting approaches to the Korean problem. Similarly, on the recommendation of the Fourth Committee (Trust and Non-Self-Governing Territories), it adopted two conflicting resolutions on the Sahara (see Part III).

As in previous years, the Assembly also adopted, on the recommendation of its Special Political Committee, a number of resolutions concerned with Palestinian refugees in the Middle East, conditions within the territories occupied as the result of the Arab-Israeli wars, and effects of the South African policies of apartheid.



## PEACEFUL SETTLEMENT

### MIDDLE EAST

#### Security Council Consideration

During 1975 the UN peacekeeping forces in the Middle East continued to play an important role in maintaining the atmosphere of calm and confidence necessary for further negotiations toward an overall peace settlement. Their mandates were not allowed to expire in spite of the fact that the renewal process had become a political issue in itself and was used to exert pressure for other ends.

#### UNEF Renewal

In April, after the breakdown of the U.S. efforts to negotiate an expansion of the 1974 agreement on disengagement between Israel and Egypt in Sinai, Egypt let it be known that it would only agree to a 3-month extension of UNEF (UN Emergency Force) when its current mandate expired on April 24. Israel preferred that the extension be for the usual 6-month period. Egypt also sought during the negotiations on the wording of the renewal resolution to make only selective references to former Security Council resolutions on the Middle East rather than listing them all, as was usually done, but this move did not succeed. The resolution ultimately adopted on April 17, by a vote of 13 to 0, with China and Iraq not participating, included preambular references to all resolutions on UNEF that had been adopted since the October 1973 war and, besides renewing the force for 3 months, called on all parties to implement immediately Security Council resolution 338.<sup>1/</sup>

In his explanation of vote, the U.S. Representative, Ambassador John Scali, said:

"These UN peacekeeping troops are essential not only in maintaining the lines of separation between Egypt and Israel and providing a deterrent to renewed hostilities but also in creating a climate of trust and confidence upon which the

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<sup>1/</sup> Resolution 338 of Oct. 22, 1973, established the ceasefire, called for implementation of resolution 242 of Nov. 22, 1967, in all its parts, and called for negotiations between the parties aimed at establishing a just and durable peace in the Middle East. This resolution led to the opening of the Middle East Peace Conference at Geneva in December 1973 under the cochairmanship of the U.S. and U.S.S.R.



success of further negotiations depends. The UN Emergency Force and the disengagement agreement between Egypt and Israel are both means to an end, not settlements themselves. They are part of the process toward an overall peaceful solution through negotiations as envisaged in Security Council resolutions 242 and 338.

"As a matter of principle, we would have preferred an extension for a longer period of time. But whether the mandate is extended for 3 or 6 months or even longer, we believe there is an urgent need to move ahead in achieving a negotiated settlement."

The atmosphere was tenser in July when the mandate had to be renewed again, for the Egyptian Minister of Foreign Affairs had sent a letter on July 14 to the Secretary General saying, "While Egypt does not consent to further renew the mandate of UNEF, she is not against the proper use of the Force."

This ambiguous position resulted, apparently, from Egypt's desire that UNEF not become a force to maintain the status quo and that greater urgency be given to further progress toward a settlement in the Middle East.

On July 21 the Security Council decided, by a vote of 13 to 0, with China and Iraq not participating, to send an appeal to President Anwar Sadat to reconsider the Egyptian position. On July 23 the President of the Council received a positive response from the Egyptian Foreign Minister, affirming that his government would accept a further renewal for 3 months. A resolution to this effect was adopted on July 24 by a vote of 13 to 0, with China and Iraq not participating.

The U.S. Representative, Ambassador Daniel P. Moynihan, concluded his statement after the vote by saying:

"It remains to be noted that the finest leadership and the most selfless willingness to serve, as important as these are, require at the same time positive attitudes on the part of the parties in seeking peace. My government wishes to express its appreciation to President Sadat and Prime Minister Rabin [of Israel] for the affirmative actions which have made possible the renewal of the mandate of UNEF--a force which serves the mutual interests of both sides."

On September 4 Egypt and Israel signed a new agreement relating to the disengagement of their forces in Sinai. Article V of the agreement said, "The United Nations Emergency Force is essential and shall continue

its functions and its mandate shall be extended annually." This simplified the renewal of UNEF in October.

In informal consultations the U.S.S.R. proposed two additions to the draft resolution put forward by the Security Council President (Sweden). The first concerned the need for UNEF to operate with maximum efficiency and economy, and the second borrowed language from the Secretary General's October 17 report on UNEF, citing the urgency for further progress for an overall settlement in the Middle East since any relaxation of the search "could be especially dangerous in the months to come." These amendments were accepted and the resolution was adopted on October 23 by a vote of 13 to 0, with China and Iraq not participating.

At the beginning of the Council meeting, the President read a letter from the Egyptian Foreign Minister expressing Egypt's consent to UNEF's renewal for 1 year, but neither Israel nor Egypt spoke during the meeting. In a statement after the vote, Ambassador Moynihan said:

"The renewal today of the UN Emergency Force for a period of one year and the continuing role as envisaged in the Secretary General's report is an essential part of the process leading toward a viable solution to the conflict in the Middle East. Together with the agreement signed by Egypt and Israel on September 4, it presents us with an opportunity that we must not miss. This is the opportunity to move forward, to continue the process, to maintain the momentum. We therefore welcome the extension of UNEF with a sense of dedication and determination to continue in our efforts for a negotiated settlement in the Middle East that will ensure a just and lasting peace."

#### UNDOF Renewal

On May 28 the Security Council, by a vote of 13 to 0, with China and Iraq not participating, renewed for 6 months the mandate of UNDOF (UN Disengagement Observer Force), which had been established as part of the May 31, 1974, agreement to disengage the Israeli and Syrian forces that were on the Golan Heights. It had been commonly believed in advance of the Council action that Syria would only agree to a 2-month extension. However, Syria announced shortly before the end of May that it would agree to the more usual 6-month period. The Council meeting was brief and noncontentious, with Ambassador Scali's remarks after the vote generally reaffirming the importance of UNDOF to the maintenance of the disengagement agreements between Syria and Israel.



The situation was far different at the end of November, however, when the Security Council only after long and difficult negotiations renewed UNDOF's mandate in the evening of November 30. The mandate would have expired at midnight, and world attention had been focused on the renewal negotiations. The vote again was 13 to 0, with China and Iraq not participating.

In order to clarify the positions of Israel and Syria, the UN Secretary General, Kurt Waldheim, had gone to the Middle East from November 22 to 27. On November 28 he gave Council members a report of his consultations in Syria, Israel, Egypt, and Lebanon and urged that UNDOF's mandate be extended, on the assumption that the Council would reach agreement on a resolution taking due account of the positions put to him by the two parties.

The same day Guyana, Cameroon, Tanzania, and Mauritania circulated a draft resolution that, besides renewing UNDOF's mandate, called for the Security Council to reconvene on January 12, 1976, to continue the debate on the Middle East including the Palestine question, taking into consideration General Assembly resolution 3375 of November 10. (The United States and some other Council members had voted against this Assembly resolution which called for participation by the Palestine Liberation Organization in all further Middle East peace efforts "on an equal footing with other parties." See below, p. 10.) The draft was later modified to read, "taking into consideration the relevant General Assembly and Security Council resolutions as well as the statement of the Security Council President on this subject." Since the proposed statement by the President would also have specifically mentioned Assembly resolution 3375, it was unacceptable to the United States, and informal consultations continued late on November 29.

In the afternoon of November 30 it became apparent that a compromise could be reached, and the resolution in its final form was adopted that evening. It included a paragraph stating that the Security Council would "reconvene on 12 January 1976, to continue the debate on the Middle East problem including the Palestinian question, taking into account all relevant United Nations resolutions." The Council President (U.S.S.R.) made a statement that it was the understanding of the majority of the Security Council that when it reconvened on January 12 the representatives of the PLO would be invited to participate in the debate.

The U.S. Representative, Ambassador Moynihan, in statements before and after the vote made it clear that the United States considered only Security Council resolutions 242 and 338 to be relevant to the discussions, and that the United States did not support the statement

on PLO participation. In an explanation before the vote Ambassador Moynihan said:

"Mr. President, with respect to the resolution before us, the United States wishes to make clear that we are not agreeing to this resolution, which includes a provision calling for a Security Council debate on the situation in the Middle East, out of any desire for such a debate in this setting--much less out of any intention, howsoever remote, of seeing a transfer of the negotiations between the two parties to the UNDOF arrangements to the Security Council.

"We have agreed, we are agreeing, solely out of deference to the right of the Security Council to take up any matter it desires to take up. We consider that this resolution is taken without prejudice whatsoever to the Geneva formula or to the negotiations by the parties through intermediaries."

Reaction to the resolution was immediate and intense. The Syrians claimed that the resolution constituted a victory for the PLO. The Israeli Cabinet issued a communique on December 1 which rejected the Council's linkage of renewal of UNDOF with "alien elements which have nothing to do with the disengagement agreement," and stated that Israel would not participate in the January debate.

#### Israeli Attack on Palestinian Camps in Lebanon

On the morning of December 2, 30 Israeli airplanes bombed five targets in or near Palestinian refugee camps in Lebanon. On December 3 the Egyptian and Lebanese Ambassadors asked the Security Council President for an urgent meeting of the Council, with the participation of the PLO.

World opinion was that the Israeli air raids had been a reaction to the Council's November 30 resolution, but the Israelis said they were directed against terrorist bases. They further said they would not participate in the Security Council debate if the PLO were invited.

In the course of the informal consultations prior to the opening of the December 4 meeting, Cameroon, Guyana, Iraq, Mauritania, and Tanzania proposed to the President of the Council (U.K.) that the PLO be invited to participate in the debate with the same prerogatives as member states. The normal procedure would have been under rule 39 of the Council's provisional rules of procedure, which provides for individuals to be invited to make statements and then withdraw.



Speaking against the proposal, Ambassador Moynihan said:

"The U.S. delegation has insisted upon a vote on the issue of inviting representatives of the Palestine Liberation Organization to appear before the Security Council. As a matter of principle we shall vote against their being invited to appear.

"We have witnessed a concerted attempt to disregard the rules of procedure and to accord to the Palestine Liberation Organization a role greater even than that which over the years the Council has granted to observer governments and a role greater by far than has in more recent times been granted to the spokesmen of legitimate national liberation movements invited here under rule 39.

"The United States is not prepared to agree to an ad hoc departure from the rules of procedure tailored to meet the asserted needs of the Palestine Liberation Organization."

The proposal, which was a procedural one and not subject to the veto, was approved by a vote of 9 (Byelorussian S.S.R., Cameroon, China, Guyana, Iraq, Mauritania, Tanzania, Sweden, U.S.S.R.) to 3 (Costa Rica, U.K., U.S.), with 3 abstentions (France, Italy, Japan).

On December 5 five Council members (Cameroon, Guyana, Iraq, Mauritania, and Tanzania) introduced a draft resolution which strongly condemned Israel for its premeditated air attacks against Lebanon, called on it to desist from all military attacks against Lebanon, and solemnly warned that if such attacks were repeated "the Council would have to consider taking appropriate steps and measures to give effect to its decisions."

Arduous negotiations marked the final day of the debate, December 8, as the United States offered two amendments that would have given balance to the resolution by condemning "all acts of violence" in the Middle East and calling on "all parties to refrain from any action which might endanger negotiations." These failed to be adopted when they received only seven favorable votes (Costa Rica, France, Italy, Japan, Sweden, U.K., U.S.) instead of the required nine, and the United States then vetoed the draft resolution. The vote was 13 to 1, with Costa Rica abstaining.

In explaining the U.S. vote, Ambassador Moynihan stressed that the outcome was disappointing to the United States, which had worked strenuously for a balanced resolution. He said:



"Mr. President, the United States strongly deplores the Israeli actions which were brought to our attention by the Governments of Lebanon and Egypt through the offices of their distinguished Ambassadors who are with us tonight. But we also believe that the problem of loss of innocent life from incursions from Lebanon and other neighboring states of Israel should also be condemned. This is part of the cycle of violence with which we are dealing and which the United States, as a mediating power, hopes to bring to an end."

## General Assembly Consideration

### Question of Palestine

The "question of Palestine," on the Assembly's agenda for the second year, was considered directly in plenary between November 3 and 10, without prior reference to a main committee. The Assembly had before it during its debate a brief report by the Secretary General, submitted in response to the Assembly's 1974 resolution on Palestine. (The 1974 resolution had, inter alia, reaffirmed the rights of the Palestinians to self-determination, to national independence, and to return to their homes and property. It had requested the Secretary General to establish contacts with the PLO on all matters concerning the question of Palestine.)

In his report the Secretary General said that he had established contacts with the PLO and that the Secretariat had been in touch with representatives of the PLO "as occasion has required." The report also noted that the PLO had established offices of permanent observers in New York and Geneva and that the Commissioner General of UNRWA and the PLO had been in contact in Beirut.

The debate, in which 50 states took part, attracted much less attention than that in 1974 when Yasir Arafat, head of the PLO, had spoken. Most of those taking part in the debate ultimately became sponsors of one or both resolutions subsequently adopted by the Assembly.

The head of the PLO delegation, Farouk Qaddumi, delivered an uncompromising statement to open the debate. His charges of repression, imperialism, and aggression were aimed at both the United States and Israel. Speaking immediately afterward, the Israeli Representative, Chaim Herzog, defended Israel and its policies and charged the PLO with rejecting negotiations and compromise and seeking to destroy the state of Israel.

On November 4 Egypt introduced a draft resolution which in its final form was sponsored by 47 states.

The resolution (1) requested the Security Council to adopt the necessary measures to enable the Palestinian people to exercise its inalienable national rights in accordance with the resolution adopted in 1974; (2) called for inviting the PLO "to participate in all efforts, deliberations, and conferences on the Middle East which are held under the auspices of the United Nations, on an equal footing with other parties"; and (3) requested the Secretary General to inform the co-chairmen of the Peace Conference on the Middle East of the present resolution and to take all necessary steps to secure the invitation of the PLO "to participate in the work of the Conference as well as in all other efforts for peace." This resolution carried out Egyptian President Sadat's proposal, made in an address before the General Assembly on October 29, to endorse an invitation to the PLO to participate in the Geneva negotiations.

A second draft resolution, introduced by Senegal on November 7 and eventually sponsored by 55 states, concerned the rights of the Palestinians. It reaffirmed the 1974 resolution, expressed grave concern that no progress had been achieved toward attaining those rights, and established a Committee on the Exercise of the Inalienable Rights of the Palestinian People to be composed of 20 member states appointed by the General Assembly. The Committee was requested to consider and recommend to the General Assembly by June 1, 1976, a "program of implementation" enabling the Palestinian people to exercise their rights.

The U.S. Representative, Ambassador Moynihan, spoke on November 7. Recalling that the United States had voted against the 1974 resolution on the rights of the Palestinians which formed the basis for the two resolutions proposed in 1975, he said:

"... Our reason was our reservation about the efficacy of meeting the interests and concerns of the Palestinians through resolutions of the General Assembly rather than through the give-and-take of the negotiating process. We believe also that the exhortation to exercise any Palestinian rights in Palestine creates a serious political and legal problem. Part of the geographic entity known as Palestine now constitutes the territory of a member state of the United Nations. Thus a claim to exercise rights in Palestine appears as a claim which, at least in part, involves internal jurisdiction of a member state.

"Regarding the proposal to invite the PLO to Geneva, we note that there are various views among the present parties to the Geneva Conference. We believe that this is the crux of the problem, and our policy is that any new participation at Geneva



can only be the result of careful consideration, negotiation, and agreement among the parties. We are prepared to participate actively in such negotiations. Our own views on the obstacles to recognition of, or negotiation with, the PLO are a matter of public record."

Both resolutions were adopted on November 10 by rollcall votes. The resolution concerning PLO participation in peace efforts was adopted by a vote of 101 to 8 (U.S.), with 25 abstentions, and the resolution creating the Committee on the Exercise of the Inalienable Rights of the Palestinian People by a vote of 93 to 18 (U.S.), with 27 abstentions.

On December 17 the General Assembly decided without objection, on the proposal of Senegal, to appoint the following members to the Committee: Afghanistan, Cuba, Cyprus, German Democratic Republic, Guinea, Hungary, India, Indonesia, Laos, Malagasy Republic, Malaysia, Malta, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukrainian S.S.R., and Yugoslavia.

#### Situation in the Middle East

Although the topic "situation in the Middle East" has been on the agenda of the General Assembly each year since 1967, it has not been considered on a regular basis. There was wide expectation during the 30th Assembly that the debate would again be deferred since the Security Council's November 30 resolution (see p. 6) calling for consideration of the question in January seemed to overshadow any action the Assembly might take. Nevertheless, a brief debate was held in plenary between December 1 and 4; only 35 states took part.

On December 3 the Malagasy Republic introduced a draft resolution that was eventually sponsored by 29 states. The resolution condemned Israel's continued occupation of Arab territories, requested all states to desist from supplying Israel with any military or economic aid as long as it continued to occupy Arab territories and to deny the inalienable national rights of the Palestinian people, and requested the Security Council to take measures for the implementation of all relevant General Assembly and Security Council resolutions dealing with the Middle East.

The U.S. Representative, Ambassador W. Tapley Bennett, Jr., spoke on December 4. In explaining the U.S. opposition to the draft resolution he said:

"The resolution before us for our consideration does not, in the view of the United States, help us in the process toward peace we support. We shall vote against it. Its one-sided condemnation of one of the parties to the Arab-Israeli



dispute and its departure from the accepted negotiating framework established by Security Council resolutions 242 and 338 make further settlement between those parties more difficult. It calls upon the Security Council to implement certain resolutions that deal with problems that can only be solved by negotiation. That is the task before us all: to get to the serious work of negotiation among the parties in which real progress can be made. Resolutions such as the one before us today can only exacerbate the situation.

"Further, it adds to the series of one-sided resolutions which are a disservice to ourselves and to this institution. It would take us one step further in destroying credibility throughout the world that the General Assembly is truly going about its business. These irresponsible resolutions do not take into account the legitimate concerns of one of the parties and lead us into a domain removed from the reality where a settlement can be achieved."

The resolution was adopted on December 5 by a rollcall vote of 84 to 17 (U.S.), with 27 abstentions.

#### UN Relief and Works Agency for Palestine Refugees in the Near East

Despite special contributions by the United States, Saudi Arabia, and several Western European states, and increased regular contributions by some Arab countries, UNRWA was still in a financial crisis at the end of 1975 because of continuing severe inflation and the dislocations caused by the civil war in Lebanon. In November 1975, UNRWA's deficit was \$8.3 million.

The 30th General Assembly's Special Political Committee met seven times between November 11 and 21, 1975, to consider UNRWA and the other topics customarily associated with it. It had before it the report of Sir John Rennie, Commissioner General of UNRWA, a report by the Secretary General on various actions by Israel concerning the Palestine refugees, special and regular reports by the Working Group on the Financing of UNRWA, and the report of the UN Conciliation Commission for Palestine (PCC).

Forty states took part in the debate which covered a wide variety of questions arising from the Arab-Israeli issue, as well as humanitarian assistance to the refugees. A representative of the PLO also participated, without the right to vote, pursuant to a resolution of the 29th Assembly. Four resolutions were

adopted by the General Assembly as the result of this discussion; all closely paralleled resolutions adopted in 1974.

#### U.S. Draft Resolution

Speaking for the United States on November 18, Ambassador Barbara M. White emphasized the seriousness of UNRWA's current financial crisis and pointed out that UNRWA's schools, the best hope for a better future for the refugees, would suffer most from the severe budget reductions the Agency faced. Emphasizing the responsibility of the world community as a whole to UNRWA, she said:

"It is our challenge, our commitment, and our responsibility to sustain the hope UNRWA has brought to those it serves. Let us, all of us, discharge that duty together."

Ambassador White introduced a draft resolution that (1) noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 adopted by the General Assembly on December 11, 1948, had not been effected and that no progress had been made in the program of reintegrating the refugees either by repatriation or resettlement, as called for by the Assembly in 1952; (2) thanked the Commissioner General and his staff, the specialized agencies, and private organizations for their work in assisting the refugees; (3) requested the PCC to continue its efforts to achieve progress in the implementation of paragraph 11 of resolution 194 and to report thereon not later than October 1, 1976; (4) directed attention to the continued seriousness of UNRWA's financial position; (5) noted with profound concern that UNRWA's income continued to fall short of the funds needed to cover essential budget requirements, despite the successful efforts of the Commissioner General to collect additional contributions; and (6) called upon all governments urgently "to make the most generous efforts possible" to meet UNRWA's needs in light of the deficit projected in the Commissioner General's report.

The Committee approved the resolution on November 20 by a vote of 79 (U.S.) to 0, with 2 abstentions, and the Assembly adopted it on December 8 by a recorded vote of 121 (U.S.) to 0, with 1 abstention (Israel).

#### Assistance to Refugees Displaced in 1967

Sweden introduced a resolution eventually sponsored by 20 states from all areas, more than half of them from Western Europe. Continuing a series of essentially similar resolutions beginning in 1967, it endorsed the temporary emergency relief provided by UNRWA to persons displaced as the result of the 1967 hostilities in the



area and strongly appealed to governments, organizations, and individuals to contribute to UNRWA to enable it to continue this work. The Committee approved the resolution by consensus on November 20, and the Assembly adopted it on December 8 without vote.

### Israeli Actions Toward 1967 Refugees

The Special Political Committee had for its consideration a report by the Secretary General on Israeli compliance with a 1973 resolution calling for the return of persons displaced in 1967 and calling upon Israel to facilitate that return. The report essentially reprinted a note verbale from the Permanent Representative of Israel, dated September 8, 1975, and related information from the Commissioner General of UNRWA. The Israeli note stated that the security situation did not permit a large-scale return of the 1967 refugees, in large part because of the activities of the PLO, but that an exception had been made for certain cases of hardship and of family reunion to which Israel had lent its assistance. It reported the total of displaced persons who had returned to their homes since 1967 as 55,000. The note also asserted that demolition in the Gaza camps was necessary in order to improve security against terrorist activities. It further stated that military actions against refugee camps in Lebanon were directed at the PLO which had taken control of these areas.

UNRWA reported Israeli acts of demolition in Gaza since its previous report, UNRWA protests against punitive demolition, and Israeli provision of alternate, though sometimes inadequate, housing. UNRWA's figures on the return of persons displaced in 1967 were 8,000 through 1974, plus a few hundred more in 1975. UNRWA also provided data on civilian injuries and deaths and damage to its buildings from Israeli military actions against refugee areas in Lebanon.

On November 20, Jordan introduced a draft resolution eventually sponsored by 19 states, mostly from Asia and Africa. It reaffirmed the right of refugees displaced in 1967 to return to their homes and camps; again called on Israel to take immediate steps for the return of the displaced persons and to desist from further displacement and the destruction of shelters; and condemned Israeli military attacks on refugee camps. This resolution was approved by the Special Political Committee on November 21 by a rollcall vote of 84 to 3 (U.S.), with 18 abstentions. It was adopted by the Assembly on December 8 by a vote of 97 to 3 (U.S.), with 28 abstentions. Ambassador Albert W. Sherer, Jr., explained after the vote in the Committee that the United States had opposed the resolution because, by condemning only Israeli military attacks on refugee



camps without mentioning the acts of provocation, it treated in a one-sided manner one of the complex and tragic problems arising from the conflict in the Middle East.

### UNRWA Finances

The Working Group on the Financing of UNRWA<sup>2/</sup> was established by the 25th General Assembly in 1970 and has been continued annually by each successive General Assembly session. On June 10, 1976, both the Chairman of the Working Group and the UN Secretary General issued statements calling attention to UNRWA's financial crisis and asking for special donations to meet it. The Working Group made a special report on September 25, 1975, appealing for extra contributions to offset a deficit at that date of \$13.2 million (out of a budget of \$121.6 million) which could otherwise only be met by drastic reductions in services. On November 5, the Working Group submitted its regular report, in which it stated that a deficit of \$8.3 million remained in UNRWA's 1975 budget and warned that "A deficit of this magnitude cannot be met from working capital and UNRWA is therefore near collapse."

On November 20, Yugoslavia introduced a draft resolution eventually sponsored by 13 states, most of them from Asia and Western Europe. After expressing grave concern at UNRWA's alarming financial situation and emphasizing the urgent need for extraordinary efforts to maintain UNRWA's present minimum level of activities, the resolution commended the Working Group and extended it for another year. The resolution was adopted unanimously on November 21 by the Committee and on December 8 by the Assembly in plenary session.

### Pledging Conference

The annual pledging conference for UNRWA took place on November 26, 1975. A total of \$61,768,900 was pledged in cash and kind by some 44 countries.

Ambassador Moynihan, in announcing a U.S. pledge of \$26,700,000 for 1976, noted that the United States had made special contributions of \$16 million in 1975 in addition to its regular pledge, in response to the appeals made during that year. He also expressed the profound admiration of the U.S. Government for the Commissioner General of UNRWA and his staff.

The U.S. pledge was subject to Congressional approval and to two conditions: (1) that UNRWA comply

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<sup>2/</sup> France, Ghana, Japan, Lebanon, Norway, Trinidad and Tobago, Turkey (Chairman), United Kingdom, United States.

with the conditions imposed by Section 301(c) of the Foreign Assistance Act, which states it should "take all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who is receiving military training as a member of the so-called Palestine Liberation Army or any other guerrilla-type organization or who has engaged in any act of terrorism"; and (2) that the U.S. contribution not exceed 70% of all contributions from governments.

#### UN Conciliation Commission for Palestine

The 29th General Assembly had asked the PCC<sup>3/</sup> to exert continued efforts toward the implementation of paragraph 11 of resolution 194 (concerning the repatriation or compensation of Palestine refugees) and to report thereon to the 30th General Assembly. The PCC reported on September 30, 1975. In its report the PCC concluded, as it had in previous years, that substantial changes in the complex situation in the Middle East, which had been further complicated by the events of 1967 and thereafter, would be necessary to permit implementation of resolution 194. However, recent developments encouraged the PCC to believe that prospects for these changes might have improved. It hoped that these developments would enable it to carry forward its work vigorously.

The U.S.-sponsored resolution adopted by the 30th General Assembly (see above, p. 13 ) asked the PCC to report again to the 31st Assembly.

#### Human Rights in Occupied Territories

In seven meetings between November 26 and December 5, 33 states discussed in the Special Political Committee the 1975 report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

The 23rd General Assembly, in a resolution adopted on December 19, 1968, which the United States had opposed, established the three-member Special Committee which, however, was not constituted until September 1969 when the Secretary General announced that Sri Lanka, Somalia, and Yugoslavia would be the members. The Special Committee has never been permitted to visit either Israel or the occupied territories because Israel considers it and its mandate biased and because none of

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<sup>3/</sup> Established by General Assembly resolution 194 adopted by the third General Assembly on Dec. 11, 1948, and consisting of France, Turkey, and the United States.



its members have diplomatic relations with Israel. In 1972 the 27th General Assembly called upon Israel to implement the recommendations of the Special Committee, increased the number of issues that the Committee was to investigate, and decided to inscribe the Committee's report on the agenda of the 28th Assembly. The 28th and 29th sessions of the General Assembly each asked the Committee to continue its work and placed its report on the agenda of the following session. In April 1974 Senegal replaced Somalia on the Special Committee.

### Special Committee's Report

In the absence of visits to the occupied territories, the Special Committee, as in previous years, examined documents and newspaper material, received testimony in person and by letter, and held hearings in Geneva and New York.

The Special Committee's report had three main parts. The first consisted of its analysis of the information available to it on (1) "Evidence relating to the policy of annexation and settlement," (2) "The abnormal situation of the civilian population living under military occupation," (3) "Evidence relating to a policy of reprisal against civilians," and (4) "Other allegations" concerning the Ibrahimi Mosque in Hebron and ill-treatment of detainees. The second part contained the Special Committee's report on its further investigation of Quneitra, a Syrian town alleged to have been deliberately destroyed by Israeli forces in 1974 before their withdrawal under the agreement on disengagement of forces. The third part was a statement of the Special Committee's conclusions.

With respect to Quneitra, the Special Committee reported it had, as requested by the General Assembly in 1974, retained an expert to examine the destruction in that area, but the expert had not completed his investigations in time for them to be included in the report.

The Special Committee concluded that, based on the evidence it had examined, Israel continued to be in violation of a number of provisions of the Fourth Geneva Convention. <sup>4/</sup> The Special Committee stressed the damaging effect of the prolonged occupation on the morale, social arrangements, and economy of the occupied territories. It was particularly concerned about an alleged Israeli policy on annexation and settlement of the occupied territories and Jerusalem. The Special

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<sup>4/</sup> 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War.



Committee once again proposed that an arrangement, inspired by the protecting-power formula envisaged by the Geneva Convention, be made to ensure neutral third-party protection for, and representation of the interests of, the population of the occupied territories.

#### General Assembly Action

On December 3, Pakistan introduced four draft resolutions which were eventually sponsored by slightly varying groups of from seven to ten Asian and African states. All of the resolutions were approved on December 5 by rollcall votes and subsequently adopted by the Assembly on December 15 by recorded votes.

The first resolution (1) declared that Israeli policies and practices in the occupied territories violated the UN Charter; (2) reaffirmed that these actions were null and void; (3) further reaffirmed that Israel's alleged policy of settling new population in occupied territories violated the Fourth Geneva Convention; (4) requested the Special Committee to continue its work; and (5) asked the Secretary General to facilitate the work of the Special Committee and to report his actions in doing so to the 31st General Assembly. The resolution was approved in committee by a vote of 81 to 4 (U.S.), with 20 abstentions, and adopted in plenary by a vote of 87 to 7 (U.S.), with 26 abstentions.

The second resolution (1) reaffirmed that the Fourth Geneva Convention is applicable to all of the occupied territories, including Jerusalem; (2) deplored Israel's failure to acknowledge that fact; and (3) called upon Israel to make that acknowledgment and to comply with the Convention. The resolution was approved in committee by a vote of 106 (U.S.) to 1, with 3 abstentions, and adopted in plenary by a vote of 112 (U.S.) to 2, with 7 abstentions.

The third resolution requested the Special Committee to continue to investigate the destruction in Quneitra and asked the Secretary General to continue to make available to the Special Committee all the facilities necessary to its tasks and to report to the 31st Assembly. The resolution was approved in committee by a vote of 84 to 2, with 24 abstentions (U.S.), and adopted in plenary by a vote of 87 to 2, with 32 abstentions (U.S.).

The fourth resolution, after expressing in preambular paragraphs concern over alleged Israeli actions reported by the Special Committee as violating the religious rights of the inhabitants of the occupied territories and considering that these actions constituted a new threat to peace and security in the area, (1) declared all Israeli measures to change the

institutional structure and religious practices in the Al-Ibrahimi Mosque to be null and void; (2) called upon Israel to cease these measures; and (3) requested the Secretary General to investigate the situation in the mosque and to report as soon as possible. The resolution was approved in committee by a vote of 78 to 4 (U.S.), with 26 abstentions, and adopted in plenary by a vote of 82 to 5 (U.S.), with 33 abstentions.

In a statement after the votes in the Special Political Committee, Ambassador Sherer explained that the United States had voted against the first resolution because it considered that the serious allegations in it had not been sufficiently verified and because the resolution constituted an unbalanced treatment of a complex and many-sided situation. The United States voted for the second resolution because of the long-held U.S. position that the Fourth Geneva Convention does apply to the occupied territories. The United States had abstained on the resolution concerned with the destruction of Quneitra because of objections, similar to those of the previous year, to certain terms of reference for the investigation. Finally, the United States had been constrained to vote against the last resolution because the United States was not only against one-sided treatment of a complex human problem--in this case, the reconciliation of the needs of the followers of two faiths to worship in their own ways at a site equally revered by both--but also because the resolution prejudged the issue in its preambular language.

## CYPRUS

### Intercommunal Talks

Intercommunal talks between representatives of the Greek and Turkish communities took place both on Cyprus and in Vienna and New York. On Cyprus, they were held in the presence of the UN Secretary General's Special Representative (Luis Weckmann-Muñoz and later Perez de Cuellar).

The representatives of the two Cypriot communities, Glafkos Clerides and Rauf Denktash, met in Nicosia, January 14-February 7. On February 19, the Secretary General discussed the intercommunal talks with government leaders in both Greece and Turkey. Following these discussions and adoption of a Security Council resolution on March 12 (see below), the Secretary General met with the communal representatives in Vienna, April 28-May 3, June 5-7, and July 31-August 2, and in New York, September 8-10. An early result of these meetings was the establishment of an expert committee to examine the powers and functions of a central government in a federal state of Cyprus. The committee held



its first meeting in Nicosia on May 12 in the presence of the Secretary General's Special Representative. The intercommunal meetings also reached agreements on some humanitarian questions and the repair of the Nicosia airport by the United Nations. But as the year ended, proposals had not been made by both sides on the central question of the boundaries of the Greek and Turkish zones of a future Cypriot state and the intercommunal talks were suspended,

### Security Council Meetings on the Cyprus Question

At the request of Cyprus, following the announcement on February 13 in the Turkish area of Cyprus of the establishment of a "Turkish Federated State of Cyprus," the Security Council met eight times between February 20 and March 12, 1975. After extended debate, the nonaligned members of the Council made an intense and lengthy, but ultimately unsuccessful, effort to achieve a resolution acceptable to all the parties in the Cyprus dispute and to all members of the Council. The attempt in the nonaligned draft to create a way for the Security Council to participate in the Cyprus negotiations was the principal focus of disagreement. Following the end of the nonaligned effort, a resolution that had been prepared in the course of consultations among all Council members was introduced by the Costa Rican Representative, in his capacity as President of the Council, and adopted without a vote on March 12.

This resolution, inter alia, (1) regretted the unilateral declaration of a Federated Turkish State as tending to compromise the intercommunal talks; (2) considered that new efforts should be made to resume the talks; and (3) requested the Secretary General to undertake a new mission of good offices, and to begin it by convening the parties under new agreed procedures which would facilitate the resumption of the talks under his personal auspices.

Ambassador Scali spoke twice during the debate. On February 27, after expressing regret at the February 13 declaration, and recalling Secretary Kissinger's statement on the same day reaffirming U.S. recognition of the Government of Cyprus as the sole legitimate government on the island, he urged the parties to respond to the Secretary General's offer of his good offices. Ambassador Scali emphasized that the United States believed that "a solution can only be achieved by free negotiations between the parties, not by dictation from outside." On March 12, Ambassador Scali welcomed the resolution adopted that day and urged "the parties to respond positively and cooperatively to the initiatives the Secretary General must take in pursuance of today's resolution."



### Extensions of UNFICYP

UNFICYP, the UN peacekeeping force on Cyprus, continued its operations on the island throughout 1975. These consisted of maintenance of the cease-fire, humanitarian activities, and, as far as possible, protection of Greek and Turkish Cypriots residing in each other's zones of control.

By a vote of 14 to 0, with China not participating, the Security Council on June 13 adopted a resolution on UNFICYP with provisions similar to those of previous years and extending the Force for another 6 months. The U.S. Representative, Ambassador Bennett, welcomed the resumption of the Vienna talks and praised the outstanding contribution of UNFICYP to the safety and welfare of the people of Cyprus. Urging the parties to reach a settlement through direct negotiations, he emphasized that "progress must be made toward permanent peace on Cyprus--and it must be made now."

In a resolution of December 13, the Council again, and in virtually identical terms, renewed UNFICYP for a further 6 months. The resolution was again adopted by a vote of 14 to 0, with China not participating. Speaking for the United States, Ambassador Sherer again paid tribute to the men and officers of UNFICYP, and praised the efforts on the Cyprus issue of the Secretary General and others in the United Nations. Urging the parties to make progress in their talks, he declared that "those who have so benefited by its [the United Nations] work can now fairly be asked to repay its efforts with their own."

### UNFICYP Staffing and Finances

In his semiannual report to the Security Council on the UN operation in Cyprus, the Secretary General reported that on November 30, 1975, UNFICYP's strength was 3,069 men from Australia, Austria, Canada, Denmark, Finland, Ireland, Sweden, and the United Kingdom. The Force included both military personnel and civilian police.

UNFICYP continued to be supported entirely by voluntary contributions. The United States pledged \$9.6 million toward the Force's 1975 expenses. This amount brought the cumulative total of U.S. financial support for UNFICYP to \$80.9 million. In addition to its cash contributions to UNFICYP, the United States also provided air transport services in 1964-65 valued at \$1.3 million.

## UN Humanitarian Activities

The UN High Commissioner for Refugees continued, at the Secretary General's request, to coordinate relief activities on Cyprus and international contributions to those activities. UNFICYP again gave major support by providing transportation for supplies and medical teams and by arranging evacuations and medical care. (See also, p. 165.)

## General Assembly Consideration

On September 16, Cyprus requested that the "Question of Cyprus" be included in the agenda of the 30th General Assembly. The Assembly decided on September 19 that the item would be considered directly in plenary session, but that the Special Political Committee would hear the representatives of the two Cypriot communities. (The Special Political Committee met for this purpose on November 12.)

In his September 22 address before the 30th General Assembly Secretary Kissinger spoke of the UN contribution to the process of peace in Cyprus. He affirmed that the details of a settlement were for the two communities themselves to decide, but declared that the Secretary General, who had the responsibility for organizing the peacekeeping force on the island as well as facilitating the talks between the leaders of the two communities, deserved the full support of the parties and of all UN members. (For the full text of his statement see Appendix I, p. 377.)

The Assembly discussed Cyprus in seven meetings between November 11 and 20. Both Cyprus and Turkey put forward draft resolutions, but neither was pressed to a vote. On November 20 the Assembly adopted by a recorded vote of 117 (Cyprus, Greece) to 1 (Turkey), with 9 abstentions (U.S.), a resolution sponsored by Algeria, Argentina, Guyana, India, Kenya, Mali, and Yugoslavia. The key operative paragraphs of the resolution demanded the withdrawal of foreign troops from Cyprus, called upon the parties to facilitate the return of refugees, and called for the resumption of the intercommunal talks under the auspices of the Secretary General.

Following the adoption of this resolution, Ambassador Sherer expressed the U.S. regret that the Assembly had failed to achieve a resolution acceptable to all the parties and explained that the United States had accordingly abstained. He noted, however, that the resolution provided a clear mandate to the Secretary General to continue his mission of good offices. Urging the representatives of the two communities to



cooperate fully and effectively with the Secretary General in achieving a settlement, he said, "Such a settlement has been asked for by the United Nations, is ardently desired by the American people, and has been awaited all too long by the people of Cyprus."

(See also p. 206 for a resolution concerning missing persons in Cyprus.)

## KOREA

U.S. policy in the United Nations on the question of Korea is based on concern for the maintenance of peace and security both on the peninsula and in north-east Asia in general. The U.S. position on the issue of Korean reunification at the 30th General Assembly stemmed from this fundamental concern; U.S. actions were influenced both by the resolutions adopted at previous Assembly sessions and by the moves of North Korea and its supporters during the year to seek UN endorsement of views inimical to American interests. In consideration of these developments, the United States and other friends of the Republic of Korea (South Korea) sponsored a resolution that was ultimately adopted by the General Assembly; however, an opposing resolution in support of the North Korean position was also adopted.

## Background

On July 4, 1972, the Republic of Korea and North Korea issued a joint communique calling for peaceful reunification by independent Korean efforts and establishing machinery for further contacts and discussions between the two parties. The 28th General Assembly in 1973 approved a consensus statement urging South and North Korea to continue their dialogue looking toward the peaceful reunification of the country. The 29th Assembly in 1974 adopted a resolution sponsored by the United States and 27 other countries that, inter alia, endorsed the earlier consensus statement and asked the Security Council to consider the dissolution of the UN Command<sup>5/</sup> in conjunction with appropriate arrangements to maintain the July 27, 1953, Armistice Agreement. In addition, the Assembly in 1974 narrowly defeated, by a tie vote in the First Committee, a

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<sup>5/</sup> The UN Command was established by a Security Council resolution on July 7, 1950, which requested UN members providing military forces and other assistance pursuant to earlier Security Council resolutions to make such forces available to "a unified command under the United States," requested the United States to designate the commander of such forces, and authorized the use of the UN flag.



pro-North Korean resolution sponsored by China, the Soviet Union, and 38 other states, that called for the withdrawal of all foreign troops stationed in South Korea under the UN flag, but made no mention of the need to maintain the Armistice Agreement.

#### Developments in Early 1975

In early 1975 North Korea embarked on a campaign to broaden its support. This campaign included visits by the North Korean leader, Kim Il-song, to Eastern Europe and North Africa during which he renewed calls for the United States to sign a peace agreement with North Korea to replace the Korean Armistice Agreement. (This proposal, first made in March 1974, did not provide for the inclusion of South Korea in the discussions relating to the security of the peninsula.)

On June 27 Ambassador Scali sent a letter to the President of the Security Council advising the Council that the United States was ready "to terminate the United Nations Command and, together with the Republic of Korea, to designate military officers of the United States and the Republic of Korea as successors in command, as provided for in paragraph 17 of the Armistice Agreement . . . ." The United States would implement this alternative arrangement on January 1, 1976, subject only to the prior agreement of the other signatories of the Armistice Agreement--the Korean People's Army and the Chinese People's Volunteers--that the Armistice Agreement would remain in force. The letter further said that the United States and the Republic of Korea were prepared to discuss the matter with the other parties directly concerned, as well as with the members of the Security Council should they so desire. Finally, the United States said it would undertake measures to reduce manifestations of the United Nations Command, including restricted use of the UN flag.

#### Inscription of Item on Agenda

On June 27 the United States, Canada, Costa Rica, Japan, Netherlands, and the United Kingdom (later joined by 13 more states) requested the inclusion in the agenda of the 30th Assembly of an item entitled "Urgent need to implement fully the consensus of the 28th session of the General Assembly on the Korean question and to maintain peace and security on the Korean peninsula." A proposed draft resolution accompanied the request.

On August 8, Algeria and 34 other states (later joined by seven more) requested the inclusion on the agenda of a supplementary item entitled "Creation of favorable conditions for converting the armistice into

a durable peace in Korea and accelerating the independent and peaceful reunification of Korea." A draft resolution accompanied the request.

On September 17 the Assembly's General (steering) Committee decided by a vote of 9 (U.S.) to 8, with 7 abstentions, to inscribe the item proposed by the United States and others, and by a vote of 17 to 0, with 7 abstentions (U.S.), to inscribe the item proposed by Algeria and others.

Tunisia and Senegal separately recommended the combination of the two items, although in different orders. At the chairman's suggestion, the Tunisian proposal, which placed the U.S.-cosponsored item as the first sub-item, was voted on; it was defeated by a tie vote of 9 (U.S.) to 9, with 5 abstentions. As a result the Senegalese proposal, which placed the Algerian-cosponsored item first, was accepted without vote. The General Committee also recommended that the combined single item, entitled "Question of Korea," be allocated to the First (Political and Security) Committee for consideration. The Assembly in plenary session adopted these recommendation on September 19.

#### Further U.S. Actions

On September 22, during the course of his address to the General Assembly (see Appendix I, p.377), Secretary of State Kissinger enlarged on the June 27 proposal, saying:

"... The United States and the Republic of Korea, looking forward to the time when a lasting solution of the Korean problem can be achieved, are herewith proposing to the parties of the armistice the convening of a conference to discuss ways to preserve the Armistice Agreement. At such a meeting, we would also be prepared to explore other measures to reduce tension on the Korean peninsula, including the possibility of a larger conference to negotiate a more fundamental arrangement.

. . . . .

"It goes without saying that no proposal for security arrangements on the Korea peninsula which attempts to exclude the Republic of Korea from the discussions can be accepted by the United States. The United Nations can contribute significantly to the process of peace on the Korean peninsula by supporting a responsible approach."

On the same day, Ambassador Moynihan sent a letter to the Security Council President advising him of the



steps taken to reduce manifestations of the UN Command in Korea and stressing the importance of the Armistice Agreement as the basis for peace and security in the Korean peninsula for over 20 years. On October 30 the UN Command also submitted a special report to the Council President, outlining its major activities during the year and including an account of North Korean violations of the Armistice Agreement.

### The Draft Resolutions

On September 24 both draft resolutions were issued as First Committee documents, with the lower number, and presumed voting priority, assigned to the U.S. co-sponsored draft, which had been the first submitted.

On October 10 the United States and 27 cosponsors submitted a revised draft that incorporated amendments that had been proposed by France and subsequently co-sponsored by Belgium, Gambia, and Italy. In the resolution's final form, the General Assembly (1) reaffirmed the 1973 consensus statement and urged the South and the North of Korea to continue their dialogue to expedite the peaceful reunification of Korea; (2) expressed the hope that all the parties directly concerned would enter into negotiations on new arrangements to replace the Armistice Agreement, reduce tensions, and ensure lasting peace in the Korean peninsula; (3) urged all the parties directly concerned, as a first step, bearing in mind the need to ensure continued observation of the Armistice Agreement and the full maintenance of peace and security in the region, to embark on talks as soon as possible so that the UN Command might be dissolved concurrently with arrangements for maintaining the Armistice Agreement; and (4) expressed the hope that the discussions would be completed and alternative arrangements for the maintenance of the Armistice Agreement made so that the UN Command might be dissolved on January 1, 1976, and by that date no armed forces under the UN flag would remain in the South of Korea.

The Algerian-initiated draft resolution, ultimately sponsored by 43 states, (1) considered it necessary to dissolve the UN Command and withdraw all the foreign troops stationed in South Korea under the UN flag; (2) called upon "the real parties" to the Armistice Agreement to replace the Korean Military Armistice Agreement with a peace agreement in the context of the dissolution of the UN Command; and (3) urged the North and the South of Korea to observe the principles of the North-South joint statement of July 4, 1972, and take practical measures for ceasing arms reinforcement and reducing the armed forces of both sides to an equal level.



By a letter dated September 18, but not circulated until October 14, Algeria requested that this draft resolution be given priority and put to the vote before any other draft resolution.

#### First Committee Consideration

On September 30 the First Committee decided without objection to invite the delegations of South and North Korea to participate in the discussion without the right to vote. The Committee considered the question at 12 meetings between October 21 and 29; over 80 member states took part in the debate.

On October 21 the Foreign Minister of the Republic of Korea, Kim Tong-cho, stated that his government had tried unsuccessfully to implement the resolution adopted by the 29th Assembly. He emphasized the South Korean devotion to peace and related the various efforts, including the June 27 proposal for a conference of the parties directly concerned, undertaken to revive the dialogue between South and North, which had been unilaterally suspended by North Korea in August 1973, and to make possible the dissolution of the UN Command. The Foreign Minister said that North Korea, instead of showing the slightest positive response to these efforts, had subjected his country to "unparalleled abuse and provocation." Pointing specifically to the construction of tunnels beneath the demilitarized zone since 1972, which were built "clearly for military purposes," he invited the member states to investigate these tunnels and form their own judgments. He reiterated the main provisions of the 28-power draft resolution, including an unconditional call for a resumption of the South-North dialogue. He observed that the 43-power draft resolution would, if adopted, lead to the destruction of the present armistice system in Korea and dangerously increase the probability of war. The Foreign Minister concluded with a direct plea to the North Korean regime: "Let us follow, together, the path of national reconciliation and the peaceful unification of our fatherland."

The North Korean Vice Minister of Foreign Affairs, Li Jong Mok, also spoke on October 21. In a bitter, vituperative speech he accused the United States of perpetuating the "colonial domination" of South Korea, claimed that a peace agreement with the United States would replace the "unstable" Armistice Agreement, and excluded South Korea from any discussion on the question of peace in Korea because "there are questions that should be settled with the United States while there are questions that should be settled with South Korea." Commenting upon the 28-power draft resolution offer to dissolve the UN Command provided the Armistice Agreement was maintained, he said: "The natural result is

that, if the United Nations Command is dissolved, the Armistice Agreement itself will also have to cease to exist." Continuing, he said that "the draft resolution of the United States side is no more than a plot to justify the occupation of South Korea by the United States troops in the name of the United Nations and to create two Koreas to perpetuate the division of Korea." He concluded with the warning, "The Korean people will certainly make all the foreign troops withdraw from South Korea and realize, sooner or later, the historic cause of the country's reunification . . . ."

Speaking on October 23, Ambassador Moynihan compared the two draft resolutions in terms of their practical contributions to reducing tensions on the Korean peninsula.

He noted that the 28-power draft resolution explicitly reaffirmed U.S. willingness to terminate the UN Command, provided the Armistice Agreement was maintained and said:

" . . . the chief concern of my government is that the Armistice Agreement, which has been the basis for peace and security in the Korean peninsula for over 20 years, be maintained in the absence of alternate lasting arrangements between the South and the North. I wish to emphasize that the Armistice Agreement is not merely a cease-fire, but a carefully designed structure for monitoring and policing the armistice itself. It remains the only legal basis for the present cessation of hostilities on the Korean peninsula."

He recalled the proposal in Secretary Kissinger's September 22 address for convening a conference of the parties directly concerned and declared that the negotiations called for by the 28-power resolution constituted "the only proposal now before this body that recognizes that in matters relating to the future of Korea and to security in the peninsula both Korean Governments should be included." The resolution, he said, "provides a basis for discussion and action which will enhance the prospects for peace and security on the Korean peninsula."

Regarding the 43-power draft resolution, he said:

"The opposing resolution calls for termination of the UN Command and replacement of the Armistice Agreement by a peace agreement. Nothing is said of how the mechanisms of the peace agreement are to function and what is to act as a restraint on the parties in the interval while the peace agreement is being discussed.

" . . . Whoever is familiar with the Korean problem knows that a situation in which the



Armistice Agreement machinery is not functioning and where there is no assurance that any other agreement would take its place is a highly unstable one.

"We cannot accept the view that the termination of the UN Command without provision for the continuation of the armistice would have little consequence for the peace and security of the peninsula. . . ."

He declared that the resolution was not in accordance with past Assembly resolutions because it did not encourage discussions by all the parties concerned with the problem of peace and security in the peninsula. On the contrary,

". . . it has the clear intention to exclude one of the principal parties, the Republic of Korea, from any such discussions. For our part, we will not accept any such exclusion of the Republic of Korea, which represents over two-thirds of the Korean people. . . ."

In a subsequent statement on October 29 Ambassador Moynihan reminded the Assembly of the reasons for the presence of the UN Command in the Republic of Korea and of the American forces which are also there. He said:

"The UN Command . . . arose in the aftermath of a sudden, brutal, calculated invasion of the Republic of Korea by its neighbor to the north, an act of aggression--plain, unmistakable, unchallenged by world opinion at the time. . . . the General Assembly called this 'aggression' and called upon the nations of the world to come to support the Republic of Korea, which had been invaded.

"Sixteen nations responded, the invaders were thrown back, the status quo ante was restored--a fact clear to history. In the long history of the world rarely has an aggression been so naked, so unambiguous, so clear for all the opinion of the world to see. And it was--to the honor of the United Nations--rebuffed. It failed.

"In order that this should not recur, a command was established on the armistice line. That command continues almost a quarter century later. It was not the desire of the United States to be in South Korea. It is not the desire of the United States to be in South Korea. But let no one suppose we are embarrassed by our presence or apologetic about it. We were there in defense of the principles of independence and the territorial



integrity of a state, the protection of which is the fundamental purpose of this body."

On October 29 the First Committee considered first the Algerian proposal that priority be given the 43-power draft resolution, and defeated the proposal by a rollcall vote of 52 in favor to 64 opposed (U.S.), with 23 abstentions.

In favor: Albania, Algeria, Benin, Bulgaria, Burma, Burundi, Byelorussian S.S.R., Cambodia, Cameroon, Cape Verde, China, Congo, Cuba, Cyprus, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Kuwait, Laos, Libya, Malagasy Republic, Mali, Malta, Mauritania, Mongolia, Mozambique, Pakistan, Poland, Romania, Rwanda, São Tome and Principe, Senegal, Somalia, Sudan, Syria, Tanzania, Togo, Ukrainian S.S.R., U.S.S.R., Yemen (Aden), Yemen (Sana), Yugoslavia, Zambia.

Against: Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Canada, Central African Republic, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, France, Gabon, Gambia, Federal Republic of Germany, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lesotho, Liberia, Luxembourg, Malawi, Malaysia, Maldives, Mauritius, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Papua New Guinea, Paraguay, Philippines, Sierra Leone, Singapore, Spain, Swaziland, Sweden, Thailand, Turkey, United Kingdom, United States, Upper Volta, Uruguay, Venezuela.

Abstaining: Afghanistan, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Chad, Finland, Jamaica, Kenya, Lebanon, Morocco, Nepal, Nigeria, Peru, Portugal, Qatar, Saudi Arabia, Sri Lanka, Trinidad and Tobago, Tunisia, United Arab Emirates, Zaire.

At the request of Senegal, the four operative paragraphs of the 28-power draft resolution were voted on separately and each was adopted by a recorded vote. The resolution as a whole was approved by a rollcall vote of 59 (U.S.) to 51, with 29 abstentions.

Uruguay formally requested that the 43-power draft resolution not be voted upon because the approval of one resolution implied exclusion of the other. This proposal was withdrawn following an appeal by the Ivory Coast to permit the Committee to vote on both lines of thinking as reflected in the two draft resolutions. The 43-power draft resolution was then approved by a rollcall vote of 51 to 38 (U.S.), with 50 abstentions.

## Assembly Action

On November 18 the General Assembly in plenary session adopted by rollcall votes both resolutions that had been approved by the First Committee.

The 28-power resolution was adopted by a vote of 59 (U.S.) to 51, with 29 abstentions.

In favor: Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Canada, Central African Republic, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Federal Republic of Germany, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lesotho, Liberia, Luxembourg, Malawi, Maldives, Mauritius, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Paraguay, Philippines, Portugal, Saudi Arabia, Singapore, Spain, Swaziland, Sweden, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela.

Against: Albania, Algeria, Benin, Botswana, Bulgaria, Burundi, Byelorussian S.S.R., Cambodia, Cameroon, Cape Verde, China, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, Iraq, Kuwait, Laos, Libya, Malagasy Republic, Mali, Malta, Mauritania, Mongolia, Mozambique, Nigeria, Poland, Romania, Rwanda, São Tomé and Príncipe, Senegal, Somalia, Sudan, Syria, Tanzania, Togo, Ukrainian S.S.R., U.S.S.R., Yemen (Aden), Yemen (Sana), Yugoslavia, Zambia.

Abstaining: Afghanistan, Argentina, Bahrain, Bhutan, Burma, Chad, Cyprus, Fiji, Finland, India, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nepal, Niger, Pakistan, Panama, Papua New Guinea, Peru, Qatar, Sierra Leone, Sri Lanka, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, Zaire.

The 43-power draft resolution was adopted by 54 to 43 (U.S.), with 42 abstentions.

In favor: Albania, Algeria, Benin, Botswana, Bulgaria, Burma, Burundi, Byelorussian S.S.R., Cambodia, Cameroon, Cape Verde, Chad, China, Comoros, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, Iraq, Laos, Libya, Malagasy Republic, Mali, Malta, Mauritania, Mongolia, Mozambique, Nigeria, Panama, Poland, Romania, Rwanda, São Tome and Principe, Senegal, Somalia, Sudan, Syria,



Tanzania, Togo, Uganda, Ukrainian S.S.R., U.S.S.R., Yemen (Aden), Yemen (Sana), Yugoslavia, Zambia.

Against: Australia, Bahamas, Barbados, Belgium, Bolivia, Canada, Central African Republic, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, France, Gabon, Federal Republic of Germany, Grenada, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lesotho, Liberia, Luxembourg, Malawi, Netherlands, New Zealand, Nicaragua, Norway, Oman, Paraguay, Saudi Arabia, Spain, Swaziland, Turkey, United Kingdom, United States, Uruguay.

Abstaining: Afghanistan, Argentina, Austria, Bahrain, Bhutan, Brazil, Cyprus, Ecuador, Fiji, Finland, Greece, India, Indonesia, Iran, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Malaysia, Maldives, Mauritius, Mexico, Morocco, Nepal, Niger, Pakistan, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Sierra Leone, Singapore, Sri Lanka, Sweden, Thailand, Trinidad and Tobago, Tunisia, United Arab Emirates, Venezuela, Zaire.

#### SOUTH AFRICAN POLICIES OF APARTHEID

The General Assembly at its 30th session again referred to its Special Political Committee the perennial agenda item--dating back to 1952--on "Policies of Apartheid of the Government of South Africa." The Committee's substantive consideration of the item took place at 23 meetings between October 8 and November 6. Nearly 50 states took part in the debate which resulted in the approval of seven resolutions.

On October 1 the Committee agreed without objection to accede to the requests of the Special Committee against Apartheid<sup>6/</sup> to allow representatives of the African National Congress of South Africa and the Pan-Africanist Congress of Azania, two liberation movements recognized by the OAU, to participate as observers in the debate. Representatives of these movements also took part as observers in the Committee's observance on October 10 of a Day of Solidarity with South African Political Prisoners.

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<sup>6/</sup> Established in 1962 as "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa." The 18 members in 1975 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syria, Trinidad and Tobago, and Ukrainian S.S.R.



On October 23 the U.S. Representative, Clarence M. Mitchell, spoke in the Committee's general debate. He reiterated the unequivocal U.S. condemnation of the apartheid system of legislated racial discrimination and stressed the U.S. view that South Africa should be exposed to the relentless and unceasing demands of the world community to eradicate the apartheid system. He stated:

"The United States deplores the detention of persons whose only act is outspoken opposition to the system of apartheid. The South African Government is courting disaster when such repressive measures have the effect of closing off all avenues for peaceful change."

He concluded by appealing to those nations present to reject any effort to equate Zionism with racism and apartheid, as the Third Committee had done in a resolution approved on October 17 (see p. 212). He pleaded that the issues be kept distinct "in order that we may have a constructive and effective fight against the evil of apartheid which pollutes the world."

On October 15 Sweden introduced a draft resolution, eventually sponsored by 46 states, entitled "UN Trust Fund for South Africa." The resolution was approved by the Special Political Committee without objection on October 20 and adopted by the Assembly, also without objection, on November 28. Like previous resolutions on the same subject, it appealed to all states, organizations, and individuals to make more generous direct contributions to the Trust Fund and to the voluntary agencies assisting the victims of apartheid and racial discrimination in South Africa, Namibia, and Southern Rhodesia.

On October 16 Denmark introduced a draft resolution, eventually sponsored by 78 states, entitled "Solidarity with the South African Political Prisoners." The resolution, inter alia, expressed solidarity with all South Africans struggling against apartheid and called on South Africa to grant an unconditional amnesty to all persons imprisoned or restricted for their opposition to apartheid or acts arising from such opposition. Following the resolution's approval without objection on October 20, the United States expressed a reservation concerning the choice of language in the operative paragraph concerning unconditional amnesty to the extent that it could possibly be interpreted as condoning acts of terrorism or violence. The General Assembly adopted the resolution without objection on November 28.

On October 22 Yugoslavia submitted a draft resolution entitled "Special Responsibility of the United Nations and the International Community Toward the

Oppressed People of South Africa," which was eventually sponsored by 56 states. The resolution (1) proclaimed the special responsibility of the United Nations and the international community toward the oppressed people of South Africa and their liberation movements and (2) reiterated the determination of the General Assembly to devote increasing attention and all necessary resources to concerting international efforts for the speedy eradication of apartheid in South Africa and the liberation of the South African people. The United States abstained on the resolution, which was approved in committee on October 24 by a rollcall vote of 90 to 0, with 9 abstentions, and adopted by the plenary Assembly on November 28 by a recorded vote of 97 to 0, with 9 abstentions. The United States abstained because it does not consider the situation in South Africa to be a colonial one and it opposed the reference in the last paragraph to the "liberation of the South African people." Although the United States supports the speedy eradication of apartheid, it does not believe it to be the responsibility of the General Assembly to devote "all necessary resources" to efforts for the liberation of South African people.

On October 27 Nigeria introduced a draft resolution on "bantustans," or tribal homelands, which was sponsored by 68 states. In one of its preambular paragraphs the resolution reaffirmed the legitimacy of the struggle of the South African people, under the leadership of their national liberation movements, by all means possible for the total eradication of apartheid and for the exercise of their right to self-determination. In its operative paragraphs the resolution (1) condemned the establishment of bantustans as "designed to consolidate the inhuman policies of apartheid, to perpetuate white minority domination, and to dispossess the African people of South Africa of their inalienable rights in their country"; (2) said that the establishment of bantustans was designed to destroy the territorial integrity of the country; and (3) called upon all governments and organizations not to deal with any institutions or authorities of the bantustans or to accord any form of recognition to them.

On October 29 Belgium introduced two amendments, also sponsored by Luxembourg and the Netherlands, that would have (1) replaced the preambular paragraph described above with one that reaffirmed "the legitimacy of the struggle in South Africa, irrespective of race, color, and creed, for the total eradication of apartheid and any form of racial discrimination"; and (2) added a fourth operative paragraph that called on South Africa "to cease all efforts to establish bantustans and to conform to the principles expressed in the UN Charter."



On October 30 the Committee rejected the amendments by a vote of 25 in favor (U.S.) to 69 opposed, with 11 abstentions. The resolution was then approved by a recorded vote of 100 to 0, with 8 abstentions (U.S.), and subsequently adopted in plenary session on November 28 by a recorded vote of 99 to 0, with 8 abstentions (U.S.). The U.S. Representative, Richard Whistler, explained in the Committee that the United States had reservations about operative paragraph 3 calling on governments not to deal with the bantustans in view of the U.S. policy of keeping open channels of communication to all elements of the South African population regardless of race.

On October 29 India introduced a draft resolution, eventually sponsored by 72 states, on "Apartheid in Sports." The resolution inter alia (1) reaffirmed the support of the Olympic principle that no discrimination be allowed on the grounds of race, religion, or political affiliation; (2) called on all governments, sports bodies, and other organizations to (a) refrain from all contacts with sports bodies established on the basis of apartheid or racially selected sports teams from South Africa, and (b) to exert all their influence to secure the full implementation of the Olympic principle, especially by the National and international sports bodies that have continued cooperation with South African sports bodies established on the basis of apartheid. The resolution was approved without objection by the Committee on October 30 and by the General Assembly on November 28.

On October 31 Libya introduced a lengthy draft resolution entitled "Situation in South Africa," which was eventually sponsored by 54 states. In one of its preambular paragraphs it expressed deep concern over "the grave situation in South Africa, which constitutes an affront to human dignity and a threat to international peace and security." In its principal operative paragraphs it (1) condemned the racist regime of South Africa for its policies and practices of apartheid, which are a "crime against humanity"; (2) strongly condemned the actions of those states and foreign economic and other interests that continued to collaborate with the racist regime of South Africa and strongly urged the main trading partners of South Africa, particularly the United Kingdom, the United States, France, the Federal Republic of Germany, Japan, and Italy, to cease collaboration with the racist regime of South Africa and to cooperate with the United Nations in the efforts to eradicate apartheid; (3) again condemned the strengthening of relations and collaboration between the racist regime of South Africa and Israel in the political, military, economic, and other fields; (4) reaffirmed the legitimacy of the struggle of the oppressed people of South Africa by all means possible for the total eradication of apartheid;

(5) reaffirmed that the racist regime of South Africa was "illegitimate" and had no right to represent the people of South Africa; (6) appealed to all states to impose an effective embargo on the supply of petroleum, petroleum products, and strategic raw materials to South Africa, and (7) requested the Security Council to consider urgently the situation in South Africa "with a view to adopting effective measures, under Chapter VII of the Charter of the United Nations, to resolve the grave situation in the area."

On November 4 the resolution was approved in committee by a rollcall vote of 83 to 15 (U.S.), with 13 abstentions. The United States opposed the resolution because it could not support a number of the paragraphs, including those describing the situation in South Africa as a threat to international peace and security, calling for Chapter VII sanctions, and condemning those states that maintain normal contacts with South Africa. These reservations were set forth in an explanation after the vote, during which the U.S. Representative reaffirmed the continuing U.S. position that maintaining communications with South Africans of every group was essential to the positive development of the situation in South Africa.

When the Committee's report on apartheid came before the plenary on November 28, a vote on this draft resolution was postponed until a later date at the request of some African delegations which intended to introduce an amendment to it. Subsequently, on December 8, the Malagasy Republic introduced two amendments which were also sponsored by six other African states. These amendments expressed serious concern over "the direct intervention of South African armed forces in Angola" and condemned that intervention as a further manifestation of the intention of South Africa to "strengthen its policy of domination and racial discrimination in the region." Zaire then introduced two subamendments which had the effect of condemning all foreign intervention in Angola, including that of South Africa.

Ambassador Moynihan then addressed the Assembly to state that in voting on the amendments the Assembly would be facing another moment of truth--whether the United Nations would settle for "the big lie that intervention in the country of Angola is that of one nation only, in the face of the enormous fact that this is not true." Ambassador Moynihan attacked the effort by a new European colonial power to recolonize Africa and stated that the critical question was whether African nations would allow themselves to be parties to a new European conquest. He noted that no evidence had yet been presented concerning the role of South Africa and said the United States would welcome such information when it appeared before the Assembly. His purpose,



however, was to introduce some facts about the whole of the situation. He then read from a New York Times article describing the introduction of Soviet arms and Cuban fighting men into Angola. He concluded by again calling on the Assembly to tell the truth and avoid the contempt of the world and of history by settling for the "big lie." After several points of order, the Assembly voted to adjourn debate. On December 10 both the amendments and subamendments were withdrawn for lack of support and the Assembly adopted the unamended resolution as forwarded from the Special Political Committee by a rollcall vote of 101 to 15 (U.S.), with 16 abstentions.

The final resolution on apartheid was introduced in the Committee on November 4 by Tanzania and eventually sponsored by 33 states. Entitled "Program of Work of the Special Committee Against Apartheid," the resolution, inter alia, requested the Special Committee to intensify its efforts to promote coordinated international campaigns against apartheid and to give special attention in 1976 to encouraging, promoting, and supporting (1) campaigns for the legitimate struggle of the national liberation movements recognized by the OAU against the racist regime of South Africa; (2) actions by trade union, women, student, youth, and religious organizations to express their solidarity with and support of the oppressed people of South Africa; (3) campaigns against the collaboration by any government or transnational corporation with the racist regime of South Africa; and (4) condemnation of the propaganda of the racist regime of South Africa and its supporters, and the widest dissemination of information on the struggle of the South African people for their right to self-determination.

On November 6 the resolution was approved by a rollcall vote of 98 to 0, with 8 abstentions (U.S.). The United States abstained because it could not support the paragraphs endorsing campaigns against collaboration by governments and transnational corporations with the South African Government. The U.S. Representative, Mr. Whistler, explained after the vote that these paragraphs lent themselves to capricious and arbitrary interpretation and misuse. He also pointed out U.S. reservations about the language in the resolution that appeared to condone violence against the South African Government.

The resolution was subsequently adopted by the General Assembly on November 28 by a recorded vote of 103 to 0, with 7 abstentions (U.S.).

Following the adoption of the six resolutions on November 28, the U.S. Representative, Clarence M. Mitchell, made a detailed explanation of vote to clarify

the U.S. position on apartheid. He recalled that South African Prime Minister Vorster had called a sentence of his October 23 speech referring to the detention of opponents of apartheid (see above, p. 33 ) "a down-right lie" and had called for the name of just one individual in South Africa who was arrested and detained only because of his outspoken opposition to apartheid. Mr. Mitchell responded by presenting a detailed examination of the South African laws and methods used to enforce the repressive apartheid system. He then described several cases of individuals who were arbitrarily detained and suppressed because of their opposition to apartheid. He concluded by challenging the South African Government to allow the Human Rights Commission or any commission of internationally known and respected jurists to conduct a full examination of the apartheid system and of the deprivation of human rights of the majority of the people of South Africa.



## DISARMAMENT AND ARMS CONTROL

### CONFERENCE OF THE COMMITTEE ON DISARMAMENT

The CCD,<sup>7/</sup> which meets annually at Geneva, Switzerland, is the principal international forum for the negotiation of arms control and disarmament agreements. Although the CCD is not an organ of the United Nations, it reports each year to the UN General Assembly and conducts much of its work in response to General Assembly resolutions. The U.S. and Soviet Representatives serve as cochairmen of the CCD.

In 1975 the Conference met from March 4 to April 10 and from June 24 to August 28. The U.S. delegation was led by Ambassador Joseph Martin, Jr. The session proved to be among the most active in the 13-year history of the CCD. The agenda included several new issues that had been referred to it by the 29th UN General Assembly--the question of nuclear-weapon-free zones, arms control implications of nuclear explosions for peaceful purposes, and environmental warfare--in addition to topics that have been on the agenda for several years, including restraints on chemical weapons and a comprehensive nuclear test ban.

### Environmental Modification

On August 21, 1975, the U.S. and Soviet Representatives submitted, as a basis for negotiation, identical texts of a draft Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. They noted that the draft was submitted in accordance with a U.S.-U.S.S.R. summit commitment of July 3, 1974, to seek "the most effective measures possible to overcome the dangers of the use of environmental modification techniques for military purposes."

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<sup>7/</sup>The 31 members of the CCD are Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Iran, Italy, Japan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sweden, U.S.S.R., United Kingdom, United States, Yugoslavia, and Zaire. France has never participated in the work of the Conference.

The draft convention would prohibit "military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to another State Party." The prohibition of environmental modification techniques would accordingly depend on the extent, duration, or severity of their effects. For example, modification of weather patterns so as to cause floods or droughts would be prohibited. The convention would ban completely certain techniques that are invariably deemed to have widespread, long-lasting, or severe effects, such as the generation of earthquakes or tsunamis (quake-produced tidal waves), or climate modification. The convention would not, however, affect use of environmental modification techniques for peaceful purposes, such as altering weather and climate patterns to reduce the destructive effects of hurricanes, floods, or droughts. Nor would it restrict research and development, in view of the difficulty of distinguishing research and development intended for hostile uses from that for peaceful purposes.

In tabling the draft convention, Ambassador Martin pointed out that experts at the CCD had underlined the need to develop effective measures to control the hostile use of environmental modification techniques having major adverse effects before such techniques could be developed. He said that the draft convention covered two types of activity:

" . . . First, it covers the hostile use of environmental modification techniques in armed conflict or to initiate such conflict. Second, it covers the use of such techniques for the specific purpose of causing destruction, damage, or injury, even when no other weapons are used or there is no other military operation taking place. We believe this draft provides a basis for distinguishing between the use of environmental modification techniques as weapons, which is covered by the prohibition, and the environmental impact of other weapons, which is not covered."

#### Nuclear Explosions for Peaceful Purposes

Acting on a request from the General Assembly at its 29th session, the CCD convened informal meetings of experts in July 1975 to study the arms control implications of nuclear explosions for peaceful purposes (PNE's). A basic question considered by the experts was whether it would be possible for a state to develop



a nuclear explosive capability that did not have military application. The United States on July 10 submitted a working paper which pointed out that:

"The most fundamental characteristic common to such /nuclear explosive/ devices is that they release extremely large amounts of energy from a relatively small and light package in a time period measured in millionths of a second. Because of this inherent feature, nuclear explosive devices, whether in their crudest or most highly sophisticated forms, take on military significance.

. . . . .

"Because of these basic characteristics, it has not been possible--and we see no basis for believing it could be possible--to develop a 'strictly peaceful' nuclear explosive device, one not capable of military application."

Another basic question considered by the experts concerned the treatment of PNE's under a comprehensive test ban. The U.S. working paper noted that:

". . . If PNE's were to be accommodated under such an agreement, a verification system would have to be devised that would provide adequate assurance not only that clandestine weapons tests were not going undetected and unidentified, but also that weapon-related benefits were not being acquired from nuclear explosions carried out openly and ostensibly for peaceful purposes. To achieve the latter objective, a control system, at a minimum, would have to prevent the testing of a new weapon concept, the substitution of a stockpiled weapon for the 'PNE' explosive to verify its performance, and the carrying out of nuclear weapons effects studies."

During 1975 several delegations at the CCD referred to current negotiations between the United States and the Soviet Union to achieve an agreement that would ensure that any peaceful nuclear explosions carried out by either party were consistent with the bilateral treaty on the Limitation of Underground Nuclear Weapon Tests (Threshold Test Ban), concluded by the two states in 1974. In this regard, Ambassador Martin assured the CCD on March 4 that the U.S. Government was fully

". . . aware of the importance attached internationally to a comprehensive test ban as a means of curbing the nuclear arms race. The United

States remains firmly committed to seeking an adequately verified comprehensive test ban. The Threshold Test Ban Treaty . . . is not only a step toward that objective but will be in itself a significant constraint on the nuclear arms competition between the United States and the U.S.S.R."

### Chemical and Biological Weapons

Early in the 1975 session the delegations of the United States, the United Kingdom, and the U.S.S.R. announced that they had ratified the 1972 Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The three delegations also announced that, in compliance with Article II of the convention, they did not possess any biological agents or toxins. The U.S. delegation further announced that the United States had ratified the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare.<sup>8/</sup>

The U.S. and Soviet delegations reported to the CCD on steps they had taken with regard to the joint commitment made at the summit meeting in July 1974 to consider a joint initiative at the CCD on chemical weapons. On August 28, 1975, Ambassador Martin noted that there was increasing acceptance of the idea that a phased approach to chemical weapons limitations might be most realistic--an approach that had been advocated by Japan and supported with some modification by Canada. Ambassador Martin noted further that proposals had been made to deal initially with only the most lethal, i.e., supertoxic, agents, while other proposals envisioned coverage of all lethal agents. The United States, he said, believed that an initial prohibition should deal with all lethal agents:

" . . . Restricting coverage to supertoxic agents would not equally constrain all countries having CW stocks if, in addition to supertoxic agents, some of these countries possessed lethal

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<sup>8/</sup>President Ford signed the instruments of ratification on Jan. 22. The convention entered into force Mar. 26, the date that the U.S., U.K., and U.S.S.R. instruments of ratification were deposited; the U.S. instrument of ratification of the Geneva Protocol was deposited Apr. 10.



agents not usually considered supertoxic, such as hydrogen cyanide. Furthermore, it is important to remember that in some regions the possession of less toxic agents--and not supertoxic agents--represents the real threat."

### Study of Nuclear-Weapon-Free Zones

At the request of the 29th General Assembly, the CCD established an ad hoc group of qualified governmental experts to carry out a comprehensive study of the question of nuclear-weapon-free zones in all its aspects.

The CCD decided to invite 21 governments to designate experts for the study, including 16 members of the CCD (Bulgaria, Czechoslovakia, Egypt, India, Iran, Japan, Mexico, Nigeria, Pakistan, Poland, Romania, Sweden, U.S.S.R., United Kingdom, United States, and Zaire) and 5 other states (Australia, Belgium, Ecuador, Finland, and Ghana). The U.S. Representative to the CCD was nominated as the U.S. expert. The group chose the Finnish expert as chairman.

The study, transmitted on August 28, 1975, to the General Assembly as a special report of the CCD, recorded a consensus among the experts on certain general principles that should be taken into account in establishing nuclear-weapon-free zones. Thus the experts concluded that the initiative for such a zone should come from states within the region, participation should be voluntary, and the zone arrangements should ensure the effective absence of all nuclear weapons. On most issues, however, the experts failed to reach agreement. Opinions were divided, for example, on the question whether a nuclear-weapon-free zone could be effective without formal guarantees from nuclear-weapon states not to use nuclear weapons against members of the zone. There was also disagreement over the relationship of nuclear-weapon-free zones to existing security arrangements; over the proposition that zone members should undertake not to acquire nuclear explosive devices for peaceful purposes; over the question whether the zone should include areas of the high seas or affect maritime transit; and whether zone treaties should, or should not, prohibit the transit of nuclear weapons through the territories of zone members.

Commenting on the study, Ambassador Martin said that:

"... the presentation by the experts of their divergent views on many difficult questions

contributes to a better understanding of the nuclear-weapon-free concept, of its feasibility, and of its potential value as a means of promoting nonproliferation objectives and strengthening regional and international security. We believe that the study will be useful to the states which are, or may be, considering the establishment of a nuclear-weapon-free zone in their region and to other interested states throughout the world."

(See p. 63 for General Assembly consideration.)

### Military Expenditures

On July 24, 1975, the United States submitted a working paper on international standards of comparison for military expenditures. In presenting the paper, Ambassador Martin observed:

"... Under certain conditions, agreed expenditure limitations, either as supplements to physical limitations or as independent measures, might make a valuable contribution to arms control efforts. But before their potential can be seriously evaluated, a number of basic questions must be answered. Many of these questions involve conceptual and technical problems that have not yet been resolved. In fact, until recently many of them had not even been clearly identified and their existence was not widely recognized, at least in international bodies concerned with arms control and disarmament."

The U.S. working paper suggested that as a first step for solving these problems a group of experts should study (1) the definition of military expenditures, (2) the valuation of resources in the military sector, (3) the question of deflating current price data for purposes of comparison, and (4) the means of making international value comparisons. Such a study would, the paper noted, provide a common understanding of basic concepts.

### Conventional Weapons

The United States continued, as in previous years, to believe that the CCD should discuss ways to control conventional weapons. On April 10 Ambassador Martin urged the CCD to consider both global and regional approaches. He suggested consideration of the following general principles for conduct in the conventional arms field: (1) governments should assume responsi-



bility for making the judgment that the arms they transfer or acquire will not have adverse effects on regional or international security; (2) consultations among interested states regarding particular acquisitions could help prevent or alleviate regional and international tensions; (3) governments should limit their arms acquisitions to those deemed indispensable to their security, to avoid unnecessary diversion of resources from economic and social development; and (4) exports of technical data and equipment for arms manufacture should be controlled as effectively as arms exports themselves. However, most CCD members continued to believe that the dangers presented by conventional weapons were much less urgent than those by weapons of mass destruction, and there was little further discussion.

### GENERAL ASSEMBLY

There were 19 items relating to disarmament on the agenda of the General Assembly at its 30th session; 16 were there as the result of Assembly resolutions in earlier years, and 3 were added at the beginning of the 30th session. Fiji and New Zealand initiated the first new item--"Establishment of a nuclear-weapon-free-zone in the South Pacific"--and the U.S.S.R. initiated the other two--"Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests" and "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons."

From October 30 to November 21 the First Committee held a general debate on all these items in which 79 member states took part. The subsequent 2 weeks were devoted to consideration and approval of draft resolutions. A total of 25 resolutions were approved by the Committee and adopted by the Assembly on December 11 and 12. The United States voted in favor or joined in the adoption by consensus of 13 of the resolutions, voted against 2, and abstained on 10. The 25 resolutions adopted in 1975 compared to 21 in 1974 and 12 in 1973, reflecting to a large extent enhanced interest in nuclear-weapon-free zones, which were the subject of 9 resolutions.

### Economic and Social Consequences of the Armaments Race

On November 24 Romania introduced in the First Committee a draft resolution, ultimately sponsored by 15 states, which requested the Secretary General, with

the assistance of qualified consultant experts, to update his 1971 report entitled Economic and Social Consequences of the Arms Race and of Military Expenditures. The resolution also called again upon all states to "place at the center of their preoccupations" the adoption of effective measures for the cessation of the arms race, especially in the nuclear field, and for the reduction of military budgets.

The First Committee approved the draft resolution on November 28 without a vote. In a subsequent statement, the U.S. Representative, Ambassador Joseph Martin, Jr., said that out of sympathy for the motives of the sponsors the United States had not objected to adoption of the draft resolution; however, if there had been a vote the United States would have abstained. The United States had no objection to updating the Secretary General's study on the economic and social consequences of the arms race, but it did not agree that updating the report, which remained valid in all essential aspects, required the establishment of a group of consultant experts.

The General Assembly adopted the resolution without a vote on December 11.

### Reduction of Military Budgets

In 1973 the General Assembly had adopted a Soviet resolution recommending a reduction of the military budgets of the permanent members of the Security Council by 10% and the allocation of part of the funds saved to provide assistance to developing countries. The same Assembly session also adopted a Mexican resolution calling for an experts' study of all aspects of reducing military budgets. The resulting study, issued in 1974, considered in general terms such questions as the measurement of military expenditures, the reduction of such expenditures as a disarmament measure, and the use of released resources for development assistance. In 1974 the Assembly asked states to convey their views on the study to the Secretary General. In July 1975 the United States suggested at the CCD that further efforts to define military expenditures and devise means of international comparisons could, if successful, provide the basis for serious consideration of agreements to limit military expenditures (see p. 44).

On November 26 Mexico introduced in the First Committee a draft resolution, cosponsored by Sweden, which called for an experts' study of the technical issues involved in military expenditure limitations, to



be submitted to the Assembly in 1976. The focus and terms of reference for the study were substantially the same as those of the U.S. initiative in the CCD. Another paragraph of the resolution, however, urged "the two states with the highest levels of military expenditure, in absolute terms," to reduce their military budgets pending international agreements on the subject.

On December 5 the Committee approved the draft resolution by a vote of 91 to 2, with 20 abstentions (U.S.). Ambassador Martin explained in the First Committee that the United States agreed with the central purpose of the resolution and was prepared to participate fully in the study. It abstained because the resolution singled out two states and urged them to reduce their military expenditures in advance of the achievement of effective agreements. The U.S.S.R. abstained because it considered the approach taken by the resolution constituted a diversion from the implementation of its 1973 proposal for a reduction of military budgets.

The General Assembly adopted the resolution on December 11 by a recorded vote of 108 to 2 (Albania, P.R.C.), with 21 abstentions (France, U.S.S.R., U.K., U.S.).

#### Napalm and Other Incendiary Weapons

Pursuant to two resolutions adopted by the 29th General Assembly, the Secretary General submitted two reports to the 30th Assembly. One contained a compilation of responses from 17 governments and 2 international organizations on the question of the use of napalm and other incendiary weapons in armed conflicts. The other summarized the consideration of this subject by the second session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts. (See also p. 329). The latter document reported that an Ad Hoc Committee of the Diplomatic Conference had held 14 meetings between February 12 and April 15, 1975, to discuss specific questions and various proposals concerning prohibitions or restrictions on the use of various categories of conventional weapons, including incendiary weapons, small-caliber projectiles, blast and fragmentation weapons, and delayed action and treacherous weapons. The Ad Hoc Committee agreed that a second Conference of Government Experts should be held under the auspices of the International Committee of the Red Cross at Lugano, Switzerland from January 28 to February 26, 1976, to continue consideration of these questions and proposals.

Following extensive informal discussions, Sweden introduced in the First Committee on November 25 a draft resolution, ultimately sponsored by 17 states, which noted the reports of the Secretary General and invited the Diplomatic Conference to continue (1) its consideration of the use of specific conventional weapons, including any that might be deemed excessively injurious or to have indiscriminate effects, and (2) its search for agreement for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons. The Secretary General was requested to report to the next General Assembly on relevant aspects of the Diplomatic Conference and of the 1976 Lugano Conference of Government Experts. The resolution also decided that in 1976 the Assembly's debate on this subject should be broadened beyond incendiary weapons to encompass "Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons."

Without a vote, the First Committee approved the draft resolution on December 4 and the General Assembly adopted it on December 11.

#### Chemical and Biological Weapons

In a general statement before the First Committee on October 30, Ambassador Martin referred to developments in the field of chemical weapons:

"Following their summit commitment to consider a joint initiative on chemical weapons at the CCD, the Governments of the United States and the Soviet Union made contacts during 1975 with a view to finding an appropriate means of carrying out such an initiative. In addition, as I reported to the CCD last August, the United States has concluded that an initial CW measure should deal with all lethal chemical weapons. In the months ahead, my government will continue its efforts in this field, with the hope that they will point to promising approaches to a possible joint initiative at the CCD during 1976."

On November 21 Poland introduced in the First Committee a draft resolution, ultimately sponsored by 24 states, that reaffirmed the objective of reaching early agreement on the effective prohibition of the development, production, and stockpiling of all chemical weapons and on their elimination from arsenals of all states; urged states to make every effort to facilitate such agreement; requested the CCD to continue negotiations on this subject as a matter of high priority, with a view to reaching early agreement on effective measures; and invited all states that had not yet done



so to accede to the Biological Weapons Convention and to the 1925 Geneva Protocol. The draft resolution, which substantially reiterated the Assembly's 1974 resolution on the subject, was acceptable to the United States since it was consistent with the commitment contained in the Biological Weapons Convention to seek effective measures for the prohibition of chemical weapons.

The First Committee approved the resolution without a vote on November 28, the P.R.C. stating that if there had been a vote it would not have participated. The resolution was adopted by the General Assembly on December 11, also without a vote.

### Cessation of Nuclear Tests

The General Assembly considered the question of a nuclear test ban under two agenda items, one brought forward from previous sessions entitled "Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban," and a new agenda item requested by the U.S.S.R. entitled "Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests." A resolution was adopted under each agenda item.

Soviet Foreign Minister Gromyko proposed the new item in a letter of September 11 to the Secretary General. The letter reviewed past agreements toward halting nuclear tests and concluded that it was of the utmost importance to achieve an international agreement providing for the complete prohibition of nuclear-weapon tests in all environments by all states. Annexed to the letter was a draft treaty providing for such a prohibition.

The draft treaty provided for control over compliance through national technical means and for referral of any violations to the Security Council. Excluded from the scope of the treaty were underground nuclear explosions conducted by nuclear-weapon states for peaceful purposes, which, if held outside of their jurisdiction, should be in conformity with the provisions of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and if held within their jurisdiction should be in conformity with a special agreement to be concluded with due regard to IAEA recommendations. The proposed treaty would enter into force only after ratification by all nuclear-weapon states and an unspecified number of other states.

On September 23 the U.S.S.R. submitted a draft resolution noting its draft treaty and calling upon all nuclear-weapon states to enter into negotiations not later than March 31, 1976, with a view to reaching agreement on the complete and general prohibition of nuclear-weapon tests. In commenting on the Soviet proposal on October 30, the U.S. Representative said:

" . . . While we can agree that a complete halt to all nuclear-weapons testing by all countries must certainly be our objective, the Soviet draft does not appear to solve problems that must be solved if we are to achieve that objective.

"In particular, reliance on national means of verification is not, in our view, an adequate basis for clearing up uncertainties as to whether ambiguous seismic signals are caused by an earthquake or by a nuclear explosion.

"Moreover, the draft does not specify verification measures for PNE's but merely states that such explosions would be governed by a separate agreement. This approach leaves unresolved the critical question whether, under a comprehensive test ban, an adequately verifiable accommodation for PNE's can be worked out. . . ."

An amended draft resolution, sponsored by 12 states, was submitted by the Soviet Union on December 2. The amendments added (1) a new preambular paragraph which reaffirmed that the potential benefits of PNE's should be available to nuclear as well as nonnuclear states, in conformity with the NPT, in such a way as to exclude any possibility of peaceful nuclear explosions being used for purposes incompatible with the complete and general prohibition of nuclear-weapon tests and the nonproliferation of nuclear weapons; and (2) language in the operative section providing for 25 to 30 non-nuclear-weapon states appointed by the President of the General Assembly to participate in the treaty negotiations together with the nuclear-weapon states. A further slightly revised draft was submitted on December 4.

The First Committee approved the resolution on December 5 by a recorded vote of 73 (India, U.S.S.R.) to 2 (Albania, P.R.C.), with 37 abstentions (France, U.K., U.S.). In an explanation before the vote, the U.S. Representative recalled his earlier comments on the proposal, stated that it was not realistic to expect all nuclear-weapon states to agree to join comprehensive test-ban negotiations in the near future, and concluded that under these circumstances the only sound course of action was to continue consideration of the test-ban issue in existing negotiating forums, particularly the



CCD. The General Assembly adopted the resolution on December 11 by a recorded vote of 94 (India, U.S.S.R.) to 2 (Albania, P.R.C.), with 34 abstentions (France, U.K., U.S.).

Under the other agenda item on cessation of nuclear tests, the Committee had before it (1) the report of the CCD; (2) a September 22 letter from the Chairman of the Mexican delegation transmitting a working paper which had been submitted to the Review Conference of the Parties to the NPT and which proposed a protocol to the Treaty under which the depositary governments of the NPT--United States, United Kingdom, and U.S.S.R.-- would suspend their underground nuclear-weapon tests for a period of 10 years as soon as the number of parties to the NPT reached 100 and for additional periods upon accession by additional states; and (3) an October 27 letter from the Swedish Permanent Representative transmitting the text of a revised draft treaty banning underground nuclear-weapon tests or any other underground nuclear explosion, except those for peaceful purposes.

After much informal discussion and negotiation, Australia introduced in the First Committee on December 1 a draft resolution sponsored by 11 states. The fourth preambular paragraph noted (a) that the Final Declaration of the NPT Review Conference considered the banning of all nuclear-weapon tests as one of the most important measures to halt the nuclear arms race, expressed the hope that the nuclear-weapon states party to the NPT would take the lead in solving the difficulties on this issue, and appealed to those states to make every effort to conclude a comprehensive test ban agreement; (b) that the documentation of the Conference included a draft protocol to the NPT whereby the nuclear-weapon state depositaries to the NPT would agree on a nuclear-test moratorium which could become a comprehensive test ban embracing all nuclear-weapon states; and (c) that the desire was expressed by many delegations at the Conference that the nuclear-weapon states parties to the NPT should conclude an agreement, with appropriate provisions to ensure its effectiveness, to halt all nuclear-weapon tests for a specified time, whereupon the terms of the agreement would be reviewed looking toward a universal and permanent cessation of all nuclear-weapon tests.

In its operative portion the resolution, inter alia, (1) condemned all nuclear-weapon tests; (2) deplored the lack of progress toward a comprehensive test ban agreement; (3) called upon all nuclear-weapon states to halt all nuclear-weapon tests through an agreed suspension subject to review after a specified period, as an interim step toward the conclusion of a formal and comprehensive test ban agreement; (4) emphasized the particular responsibility of nuclear-weapon states which

are parties to international agreements where they have declared their intention to achieve an early cessation of the nuclear arms race; and (5) urged the CCD to give highest priority to concluding a comprehensive test ban agreement.

Several recorded votes were taken on the resolution on December 4. The fourth preambular paragraph was approved by 88 (U.K.) to 0, with 28 abstentions (P.R.C., France, India, U.S.S.R., U.S.). The paragraph condemning all nuclear-weapon tests was approved by a vote of 80 (India) to 5 (P.R.C., France, U.K., U.S.), with 33 abstentions (U.S.S.R.). The paragraph emphasizing the particular responsibility of nuclear-weapon states was approved by 96 (U.K.) to 0, with 22 abstentions (P.R.C., France, India, U.S.S.R., U.S.). The draft resolution as a whole was approved by a vote of 92 (India) to 2 (P.R.C.), with 24 abstentions (France, U.S.S.R., U.K., U.S.).

In an explanation after the vote, the U.S. Representative said that the United States remained firmly committed to the objective of an adequately verified comprehensive test ban but had abstained because the draft resolution ignored or minimized the problems that must be solved if such an objective is to be realized. He pointed out that the basic security interests of states required sufficient confidence that the terms of the agreement would be fully respected, adding that:

" . . . this means that a verification system must be devised capable of performing two essential functions. Firstly, it must provide adequate assurance that clandestine weapon tests are not going undetected and unidentified. . . . Secondly, a verification system must assure participants that weapons-related information is not being obtained from nuclear explosions carried out ostensibly for peaceful purposes. At a minimum, such a system would have to provide confidence that peaceful nuclear explosions do not involve the testing of a new weapons concept, the use of a stockpiled weapon to verify its performance, or the carrying out of nuclear-weapons effect studies.

"No solution to this complex problem has yet been found. . . ."

Ambassador Martin also took exception to the tone of the paragraph condemning all nuclear-weapon tests and expressed strong objection to the paragraph deploring lack of progress toward a test ban. He noted that this ignored the achievements of the 1974 U.S.-Soviet Threshold Test Ban Treaty and the CCD's study of the implications of nuclear explosions for peaceful purposes under a test ban.



The resolution was adopted by the General Assembly on December 11 by a recorded vote of 106 (India) to 2 (P.R.C.), with 24 abstentions (France, U.S.S.R., U.K., U.S.).

### Indian Ocean Peace Zone

In 1971 the General Assembly adopted a resolution declaring the Indian Ocean to be a "zone of peace." An item entitled "Implementation of the Indian Ocean as a Zone of Peace" has been on the Assembly's agenda annually since 1972 when the Assembly established an Ad Hoc Committee on the Indian Ocean<sup>9</sup> to seek ways to implement the resolution.

The 30th General Assembly had before it the report of the Ad Hoc Committee, which dealt almost exclusively with the views of Committee members on specific aspects of convening a conference of littoral and hinterland states of the Indian Ocean: purposes of such a conference, date and duration, site, provisional agenda, and extent and level of participation.

On November 26 Sri Lanka introduced a draft resolution in the First Committee on behalf of all members of the Ad Hoc Committee. Reflecting the Committee's report, the resolution noted that agreement in principle on convening a conference on the Indian Ocean had emerged among the littoral and hinterland states of the Indian Ocean, requested those states to continue their consultations on the specific details of the conference, and once again invited the great powers and other major maritime users of the Indian Ocean to cooperate with the Ad Hoc Committee in a practical manner.

On November 28 the First Committee approved the draft resolution by a vote of 84 to 0, with 26 abstentions (U.S.), and the General Assembly in plenary session adopted it on December 11 by a recorded vote of 106 (P.R.C.) to 0, with 25 abstentions (France, U.S.S.R., U.K., U.S.).

The U.S. abstention reflected the position the United States has held on this issue since 1971. While sharing the widespread desire to promote peace and tranquility in the Indian Ocean region, the United States does not believe that the approach of declaring a "zone of peace" can adequately resolve complex ques-

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<sup>9</sup>/The 18 members in 1975 were Australia, Bangladesh, P.R.C., India, Indonesia, Iran, Iraq, Japan, Kenya, Malagasy Republic, Malaysia, Mauritius, Pakistan, Somalia, Sri Lanka, Tanzania, Yemen (Sana), and Zambia.

tions involving significant arms control and law of the sea considerations. In particular, the United States does not accept the premise that a regional group of states can establish a special legal regime governing a portion of the high seas.

#### World Disarmament Conference

The question of convening a world disarmament conference has been on the agenda of the General Assembly since 1971, when the Soviet Union introduced the subject. In December 1974 the 29th Assembly adopted a resolution inviting all states to submit their comments on the main objectives of such a conference, and requesting the Ad Hoc Committee on the World Disarmament Conference--established by the 28th Assembly in 1973--to submit to the 30th Assembly, on the basis of consensus, an analytical report concerning the comments received and to maintain contact with representatives of the nuclear-weapon states.

The Ad Hoc Committee, composed of 40 nonnuclear-weapon states, met 12 times in New York between April 1 and August 27. In addition, a smaller working group met 16 times between June 4 and July 18, primarily to draft the Committee's report to the General Assembly. The report summarized the views of the 44 countries that submitted comments and noted that a variety of objectives for a world disarmament conference had been proposed. Although the report concluded that a large majority of those commenting believed such a conference should be adequately prepared and have universal participation, including especially the nuclear-weapon and militarily significant states, it also noted a continuing basic divergence of opinion among nuclear-weapon states on many aspects of such a conference.

The United States had in previous years set forth its position that such a world conference, while it might be useful at an appropriate stage in the future, would at the present time be more harmful than helpful to real progress on disarmament. The U.S. submission, therefore, merely recalled that the U.S. position on a world disarmament conference remained unchanged and the United States had no comments on the possible objectives of such a conference.

On December 4 Argentina introduced a draft resolution, ultimately sponsored by 25 states, which reaffirmed the resolution adopted the previous year, renewed the mandate of the Ad Hoc Committee, and requested it to include in its report to the next Assembly an analytical study of the conclusions contained in its current report as well as any appropriate observations and recommendations relating to its mandate.



The First Committee approved the resolution without a vote on December 5, and the General Assembly adopted it without a vote on December 11.

The United States was able to accept this resolution since basically it continued the mandate of the Ad Hoc Committee to analyze the material contained in its 1975 report and did not call for taking any decision on preparing for or convening a world disarmament conference. Moreover, since the previous year's resolution was reaffirmed in its entirety, the Committee would continue to work on the basis of consensus.

### General and Complete Disarmament

Under its agenda item "General and complete disarmament" the 30th General Assembly adopted five resolutions concerning (1) PNE's, (2) review of the UN role in the field of disarmament, (3) strategic arms limitation talks (SALT), (4) strengthening the UN Secretariat's Disarmament Affairs Division, and (5) a review conference on the 1971 Seabed Arms Control Treaty.<sup>10/</sup>

### Nuclear Explosions for Peaceful Purposes

The continuing interest of the General Assembly in the question of PNE's was reflected in a draft resolution introduced in the First Committee on November 13 by the Netherlands and ultimately sponsored by 15 states. In its original form the resolution was acceptable to the United States, but during the debate a number of amendments were incorporated that led the United States to abstain in the final vote.

Even as amended the resolution contained a number of constructive elements. It noted with appreciation the consideration of various aspects of the PNE question at the IAEA, the CCD, and the NPT Review Conference. Other paragraphs requested the CCD to keep under review the arms control implications of PNE's and asked the IAEA to continue its examination of other aspects of PNE's, which include utility, feasibility, and legal, health, and safety aspects. The resolution also stressed the need to ensure, particularly in the context of a comprehensive test ban, that any testing or application of PNE's does not contribute to the testing or refinement of nuclear weapons by states already possessing them or to the acquisition of a nuclear explosive capability by other states.

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<sup>10/</sup>Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.

At the same time, however, the revised resolution noted that statements by the United States and the U.S.S.R. at the NPT Review Conference indicated that "no consultations have yet taken place for the conclusion of the special basic international agreement on nuclear explosions for peaceful purposes as envisaged in Article V" of the NPT, and invited the two governments to inform the Assembly of any such consultations that they might have entered into or intended to enter into.

In explaining the U.S. abstention, Ambassador Martin on December 5 took issue with these elements of the resolution. He said they were misleading in their implication that the United States and the Soviet Union had failed to carry out a commitment to enter into consultations toward a special basic agreement for the provision of PNE services to nonnuclear-weapon states party to the NPT. He pointed out that international activity was well under way on the legal and procedural framework required to implement an international service for the provision of PNE benefits and cited U.S. support for this activity in the NPT Review Conference and the IAEA. Ambassador Martin said the United States saw no reason to report on consultations concerning implementation of Article V of the NPT, since the United States fully expected "that any activity on the special agreement or agreements in the coming year will appropriately take place in the IAEA context." He emphasized that the United States regarded the IAEA, and particularly its newly established Ad Hoc Advisory Group on Nuclear Explosions for Peaceful Purposes, as "the appropriate focus of current international efforts" on this question. (See also p. 269.)

On December 5 the First Committee approved the draft resolution by a recorded vote of 84 (U.K.) to 4 (P.R.C., India), with 30 abstentions (France, U.S.S.R., U.S.). The General Assembly adopted the resolution on December 12 by a recorded vote of 97 (U.K.) to 5 (P.R.C., India), with 24 abstentions (France, U.S.S.R., U.S.).

#### UN Role in Disarmament Field

On November 26 Sweden introduced a draft resolution, ultimately sponsored by nine states, calling for a review of the role of the United Nations in the field of disarmament. The draft resolution (1) invited all states to transmit to the Secretary General by May 1, 1976, their views and suggestions on strengthening the UN role in disarmament; (2) decided to establish an ad hoc committee open to all member states to carry out a basic review of the UN role in this field; (3) decided that the review should, inter alia, focus on (a) more



effective procedures and organization of work, (b) ways to improve UN facilities for collection, compilation, and dissemination of information on disarmament, and (c) ways for the UN Secretariat to assist in ensuring the effective functioning of multilateral disarmament agreements; and (4) requested the ad hoc committee to complete its work and report to the next General Assembly.

The draft resolution was approved by the First Committee on December 5 by a vote of 101 to 0, with 17 abstentions (U.S.). The U.S. Representative explained that the United States was fully prepared to consider in a constructive spirit means to improve existing multilateral machinery for disarmament, but questioned whether organizational and procedural changes, particularly under present circumstances,

"... would make a genuine contribution to the solution of the real problems that must be solved in reaching agreement on further measures of arms control and disarmament. Focusing on organizational questions could in fact divert attention from those problems and even create false expectations, with the possible effect of undermining rather than strengthening the efforts under way in existing bodies.

"Thus, in our view, the establishment of a new ad hoc committee envisaged in this draft resolution offers little potential for improving prospects for concrete achievements in multilateral disarmament negotiations."

The resolution was adopted by the General Assembly on December 12 by a recorded vote of 108 (France) to 2 (Poland, U.S.S.R.), with 14 abstentions (U.K., U.S.); the P.R.C. did not participate in the vote. Poland and the Soviet Union later explained that they had meant to abstain.

#### Strategic Arms Limitation Talks

The resolution concerning SALT, sponsored by seven countries, was introduced on December 3 by Mexico. In its operative paragraphs the draft (1) regretted the "absence of positive results during the last two years" in the SALT negotiations; (2) expressed concern at "the very high ceilings of nuclear arms" set by the SALT agreements, at the "total absence of qualitative limitations," and at the "protracted timetable" contemplated for future negotiations; (3) urged the U.S.S.R. and the United States to broaden the scope and accelerate the pace of their talks; and (4) reiterated the Assembly's previous invitation to both governments to keep it informed of the progress and results of the negotiations.

On December 5 the First Committee approved the draft resolution by a recorded vote of 92 to 10 (U.S.S.R., U.S.), with 16 abstentions (France, U.K.). In an explanation of vote the U.S. Representative welcomed the interest shown in the SALT talks and reaffirmed the U.S. desire to achieve as early as possible a SALT II agreement limiting quantitative and qualitative aspects of strategic arms. However, he objected strongly to the first two operative paragraphs which, he said, seriously misrepresented the facts.

The General Assembly adopted the resolution on December 12 by a recorded vote of 102 to 10 (U.S.S.R., U.S.), with 12 abstentions (France, U.K.). The P.R.C. did not participate in either the Committee or the plenary vote.

#### Strengthening UN Secretariat

On December 4 Austria introduced a draft resolution, ultimately sponsored by 12 states, noting that the number of meetings serviced and the documentation prepared by the Disarmament Affairs Division of the UN Secretariat had doubled in the last 4 years, and requesting the Secretary General to take appropriate steps to strengthen the Division, including the addition of staff necessary for effectively carrying out its increased responsibilities. The First Committee approved the resolution on December 5 by a recorded vote of 104 (U.S.S.R.) to 0, with 12 abstentions (France, U.K., U.S.), and the Assembly adopted it on December 12 by a recorded vote of 115 (U.S.S.R.) to 0, with 13 abstentions (France, U.K., U.S.). The P.R.C. did not participate in either vote.

The United States abstained because it believed that the Secretary General's budget estimates for 1976-77 provided adequately for the Disarmament Affairs Division and that requirements arising from new responsibilities given the Division could and should be met by reallocating available resources.

#### Review of the Seabed Arms Control Treaty

The Seabed Arms Control Treaty, which entered into force in May 1972, provides for a conference to review the operation of the treaty 5 years after its effective date. On December 4 Denmark introduced a draft resolution, sponsored by seven states, designed to permit initiation of preparations by the UN Secretariat for such a review conference in 1977. The First Committee approved the resolution on December 5 by a vote of 112 (U.S.) to 0, with 5 abstentions, and the Assembly adopted it on December 12 by a recorded vote of 126 (U.S.S.R., U.K., U.S.) to 0, with 2 abstentions (Cuba, France). The P.R.C. did not participate.



## Disarmament Decade

A resolution adopted by the General Assembly in 1969 declared the 1970's a "Disarmament Decade," and a resolution in 1974 invited member states to report on measures and policies they had adopted to achieve the purposes and objectives of the 1969 resolution.

Pursuant to the 1974 resolution, the Secretary General submitted to the 30th Assembly a report containing the replies of 28 states. The U.S. reply described its participation in bilateral, regional, and multilateral fora, specifically mentioning the important agreements achieved with the Soviet Union in the SALT negotiations, the negotiations on mutual and balanced force reductions in Central Europe, the Conference on Security and Cooperation in Europe, the agreements negotiated in the CCD, and its active part in the NPT Review Conference.

On November 28 Nigeria introduced a draft resolution sponsored by 13 states that, inter alia, (1) deplored the wastage of resources on armament expenditures; (2) called upon member states to promote disarmament negotiations and to ensure that the resources freed thereby are used to promote economic and social development, particularly in developing countries; and (3) invited the CCD to review the implementation of the purposes and objectives of the Disarmament Decade and in this light to reappraise its tasks and duties in order to accelerate its efforts to negotiate truly effective disarmament and arms limitation agreements.

With only minor discussion, the resolution was approved in the First Committee on December 5 and adopted by the General Assembly on December 11, both without vote.

## Environmental Modification

The 29th General Assembly had requested the CCD to proceed as soon as possible to achieve agreement on the text of a convention to prohibit action to influence the environment and climate for military and other hostile purposes. The CCD's report to the 30th Assembly included a summary of its discussions on this topic and the identical draft conventions submitted by the United States and the U.S.S.R. (See p. 39 .)

On October 30 the U.S. Representative explained in the First Committee the basic provisions of the draft convention, reiterating that:

" . . . while environmental warfare is not at present practical on a militarily significant scale, understanding and technology in the field are advancing. For that reason, the United States

believes action should be taken now to adopt effective restraints--before techniques are perfected and their potential threat materializes."

A number of countries commented on various aspects of the draft convention, but there was general agreement on the importance and need for such a convention.

On December 2 Finland introduced a draft resolution, ultimately sponsored by 17 states, which noted with satisfaction that the United States and the Soviet Union had submitted identical drafts of a convention on this subject and requested the CCD to continue negotiations with a view to reaching early agreement, if possible during 1976, on the text of such a convention. Without vote, the draft resolution was approved by the First Committee on December 5 and adopted by the Assembly on December 11.

### Mass Destruction Weapons

In a September 23 letter to the Secretary General, Soviet Foreign Minister Gromyko proposed a new agenda item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons." The letter affirmed that the danger of using scientific and technological achievements to create new types of weapons of mass destruction was becoming increasingly real, and therefore proposed concluding an international agreement banning the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons. The suggested text of such an agreement was enclosed. The General Assembly decided on September 29 to include the item on its agenda and allocated it to the First Committee.

On October 30 the U.S.S.R. introduced a draft resolution on the subject that in its operative paragraphs (1) considered it necessary to take effective steps, by concluding an appropriate international treaty, for the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons; (2) noted the draft agreement submitted by the U.S.S.R., which was annexed to the resolution; and (3) requested the CCD to work out the text of such an agreement and to report to the 31st General Assembly on the results achieved. The Soviet Representative recommended that the definition of the weapons systems to be banned should be worked out by negotiations among the parties concerned. On December 1 the U.S.S.R. submitted a revised draft resolution, cosponsored by 17 other states, which added a provision for qualified government experts to assist the CCD in working out the text of an agreement.



On December 5 the U.S. Representative said that the United States shared the concern of others over the dangers posed by the possible development of new weapons of mass destruction and was willing to consider any practical steps toward the prevention of such dangers. He said that the United States could have supported a resolution calling for examination of the issue by the CCD, but it believed that

" . . . before making a commitment to seek restraints of new weapons of mass destruction it is essential to obtain a clear understanding of the issues involved. Therefore, we could not associate ourselves at this time with the assertion . . . that it is necessary to conclude an international treaty on new weapons of mass destruction and new systems of such weapons. Nor could we agree with a request . . . that the CCD proceed as soon as possible to work out the text of such an agreement."

For these reasons the United States abstained.

The resolution was approved by the First Committee on December 5 by a recorded vote of 99 (U.S.S.R.) to 1 (Albania), with 15 abstentions (France, U.K., U.S.), and adopted by the Assembly on December 11 by a recorded vote of 112 (U.S.S.R.) to 1 (Albania), with 15 abstentions (France, U.K., U.S.). The P.R.C. did not participate in either vote.

#### Nuclear-Weapon-Free Zones

The possibility of creating nuclear-weapon-free zones in various regions of the world in support of nonproliferation objectives received a considerable amount of attention in the disarmament debate. The Assembly adopted nine resolutions on this subject under seven different agenda items.

Ambassador Martin observed on October 30 that, depending on the specific arrangements, nuclear-weapon-free zones could contribute to regional and global security and effectively complement the NPT. He noted, however, that "while nuclear-weapon-free zone projects can be given an initial impetus by General Assembly resolutions, there is no substitute for the development of concrete zone arrangements by the states concerned." He cited the Treaty of Tlatelolco<sup>11</sup> as an example of a zone arrangement whose success was due primarily to the "persevering efforts of its founders."

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<sup>11</sup>/Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Tlatelolco (Mexico City), Feb. 14, 1967; entered into force, Apr. 22, 1968.

Protocols I and II of the Treaty of Tlatelolco

The Treaty of Tlatelolco established a nuclear-weapon-free zone in Latin America. Countries adhering to additional Protocol I of the Treaty undertake to apply denuclearization to territories within the treaty area for which they are internationally responsible, de facto or de jure. Of the four countries concerned, the United Kingdom and the Netherlands have adhered to Protocol I and the United States and France have not. On November 24 Mexico introduced a draft resolution, sponsored by 21 Latin American and Caribbean states, that specifically urged France and the United States to adhere to Protocol I as soon as possible and requested the Secretary General to inform the General Assembly at its 32nd session of any measures adopted by those states.

The First Committee approved the resolution on November 28 by a vote of 91 to 0, with 17 abstentions (U.S.), and the Assembly adopted it on December 11 by a recorded vote of 113 (P.R.C., U.K.) to 0, with 16 abstentions (France, U.S.S.R., U.S.). In explaining the U.S. abstention Ambassador Martin reiterated in the First Committee the long-standing U.S. position that the United States does not wish to have the treaty's denuclearization provisions apply to the U.S. Virgin Islands or Puerto Rico because the former are a part of U.S. territory and the latter has a special integral relationship with the United States. He continued:

"On the other hand, we believe, first, that the Guantanamo base could be included if the Government of Cuba were to sign and ratify the Treaty of Tlatelolco; and second, that the treaty would apply to the Canal Zone upon return of jurisdiction over the zone to Panama under the new treaty now being negotiated."

Additional Protocol II of the Treaty of Tlatelolco commits nuclear-weapon states to respect the Latin American nuclear-weapon-free zone and not to use or threaten to use nuclear weapons against parties to the treaty. France, China, the United States, and the United Kingdom have ratified Protocol II. On November 24 Mexico introduced a draft resolution, sponsored by 21 Latin American and Caribbean states, that urged the U.S.S.R. to sign and ratify the Protocol. The First Committee approved the resolution on November 28 by a vote of 95 (U.S.) to 0, with 14 abstentions, and the Assembly adopted it on December 11 by a recorded vote of 115 (P.R.C., France, U.K., U.S.) to 0, with 12 abstentions (U.S.S.R.).



### African Nuclear-Weapon-Free Zone

Resolutions on the denuclearization of Africa were adopted by the General Assembly in 1961 and 1965, and a declaration on this subject was issued by the OAU in 1964. On December 3, 1975, Nigeria introduced in the First Committee a draft resolution sponsored by 34 African states which, inter alia, (1) reaffirmed the Assembly's call on all states to respect the continent of Africa (including islands surrounding Africa) as a nuclear-weapon-free zone; (2) called upon states "to refrain from testing, manufacturing, deploying, transporting, storing, using, or threatening to use nuclear weapons on the African continent"; and (3) requested the Secretary General to render assistance to the OAU toward realization of an international treaty in which African states would undertake "not to manufacture or acquire control of nuclear weapons."

The First Committee approved the resolution on December 4 by a recorded vote of 114 (U.S.) to 0, and the Assembly adopted it on December 11 by a recorded vote of 131 (U.S.) to 0. In explaining the U.S. vote in the First Committee, Ambassador Martin noted the U.S. understanding that the resolution did not impose commitments on states in advance of the negotiation of an arrangement establishing a nuclear-weapon-free zone in Africa.

### Study of Nuclear-Weapon-Free Zones

Pursuant to a resolution adopted by the General Assembly in 1974, a group of governmental experts under the auspices of the CCD prepared during 1975 a comprehensive study of the question of nuclear-weapon-free zones in all its aspects. The study reflected agreement on some major issues but differences on others (see above, p. 43).

The general question of such zones was the subject of two resolutions at the 30th General Assembly. On November 28 Finland introduced in the First Committee a draft resolution which, inter alia, invited governments, the IAEA, and other international organizations concerned to comment on the CCD report by June 30, 1976, and recommended that the report be given widespread distribution. The Committee approved the draft on December 5 by a vote of 111 (U.S.) to 0, and the General Assembly adopted the resolution on December 11 by a recorded vote of 126 (U.S.) to 0, with 2 abstentions.

The other resolution on this subject sought to draw "certain incontrovertible conclusions" from the experts study. Introduced by Mexico on November 25, the resolution in its final form was sponsored by seven states. In the resolution the General Assembly "solemnly adopts"

a declaration setting forth a definition of the concept of a nuclear-weapon-free zone and of the "principal obligations" of nuclear-weapon states toward such zones.

The first definition asserts that a nuclear-weapon-free zone is any zone "recognized as such by the General Assembly" which establishes (1) a statute of total absence of nuclear weapons and a procedure for delimiting the zone, and (2) an international system of verification and control to guarantee compliance. The second definition asserts that when a zone is recognized by the Assembly, nuclear-weapon states "shall undertake or reaffirm" in a legally binding instrument obligations (1) to respect the zone's basic statute, (2) to refrain from contributing to violations of the statute in territory forming part of the zone, and (3) to refrain from using or threatening to use nuclear weapons against zone parties.

The resolution inspired considerable debate between November 25 and December 5. In explaining the U.S. position, Ambassador Martin noted on November 26 that the resolution omitted from the definition certain key issues, including the question of nuclear explosions for peaceful purposes. He questioned the need for such a resolution before states had been given an opportunity to present their views on issues raised in the comprehensive study. He also indicated that the United States would not commit itself to a particular set of obligations toward a nuclear-weapon-free zone in advance of negotiation of specific arrangements for the zone. However, the strongest U.S. objections focused on the competence of the General Assembly to create binding definitions and obligations by resolution. On this issue Ambassador Martin stated:

" . . . the General Assembly does not have the authority to impose obligations either on parties to a nuclear-weapon-free zone arrangement or on outside states. . . . The General Assembly can make an important contribution . . . by providing a forum for consultations and by adopting resolutions that encourage states to work towards specific arrangements. However, there is no justification in the United Nations Charter or international law for arguing that 'endorsement' or 'recognition' by the General Assembly can be either a necessary or a sufficient condition for entry into force of a nuclear-weapon-free zone or for the assumption of obligations toward the zone by states not located in the region."

On December 5 the First Committee approved the draft resolution by a recorded vote of 63 (P.R.C.) to 10 (France, U.K., U.S.), with 39 abstentions (U.S.S.R.). The General Assembly adopted the resolution on December



11 by a recorded vote of 82 (P.R.C.) to 10 (France, U.K., U.S.), with 36 abstentions (U.S.S.R.).

#### Middle East Nuclear-Weapon-Free Zone

In 1974 the General Assembly had adopted a resolution commending the idea of the establishment of a nuclear-weapon-free zone in the Middle East and asking the Secretary General to ascertain the views of states in the region on the implementation of the resolution. Responses to the Secretary General's inquiry indicated a wide divergence of views on acceptable procedures for the establishment of the proposed zone.

On December 1 Iran introduced a draft resolution, cosponsored by Egypt, Bahrain, Jordan, Kuwait, and Tunisia, whose main operative paragraph recommended that, pending the establishment of a zone, the states of the Middle East (1) proclaim their intention to "refrain, on a reciprocal basis, from producing, acquiring, or in any other way possessing nuclear weapons and nuclear explosive devices, and from permitting the stationing of nuclear weapons, in their territory or the territory under their control, by any third party"; and (2) refrain reciprocally from action detrimental to the establishment of a zone under an effective system of safeguards. In other paragraphs the resolution urged the parties directly concerned to adhere to the NPT as a means of promoting the nuclear-weapon-free zone objective and recommended that nuclear-weapon states refrain from any action contrary to the objective of establishing the zone and extend cooperation to the states in the region to promote the objective.

Following separate votes on paragraphs referring to the NPT and on the reference to "nuclear explosive devices," the First Committee approved the resolution as a whole on December 4 by a recorded vote of 111 (U.S.) to 0, with 3 abstentions (Cameroon, Israel, Zaire). The General Assembly adopted the resolution on December 11 by a recorded vote of 125 (U.S.) to 0, with 2 abstentions (Cameroon, Israel).

In explaining the U.S. vote, Ambassador Martin said in the First Committee that "The United States supports the objective of the establishment of a nuclear-weapon-free zone in the Middle East . . . although we question the approach of asking states to undertake commitments in advance of the negotiations of a zone arrangement."

#### South Asian Nuclear-Weapon-Free Zone

In 1974 Pakistan had introduced a draft resolution that, inter alia, endorsed in principle the concept of a nuclear-weapon-free zone in South Asia and requested

the Secretary General to convene a meeting to initiate consultations among interested states with a view to establishing such a zone. The Pakistani resolution was adopted, but the Assembly also adopted a resolution proposed by India stating that the initiative for creation of such a zone "in the appropriate region of Asia" should come from the states of the region concerned. After contacting the states of the South Asian region, the Secretary General informed the General Assembly on October 31, 1975, that, since differences existed in the approach to the question, the meeting envisaged by the Pakistani resolution was not convened.

Following the failure of efforts to reach agreement on a common approach, India and Pakistan introduced separate draft resolutions in the First Committee on December 2. In the sole operative paragraph of the Indian draft, the General Assembly decided to "give due consideration to any proposal for the creation of a nuclear-weapon-free zone in an appropriate region of Asia, after it has been developed and matured among the interested states within the region concerned." The Pakistani draft, inter alia, urged the South Asian states to continue their efforts to establish a nuclear-weapon-free zone and to "refrain from any action" contrary to this objective.

At the suggestion of Mexico and Nigeria, India and Pakistan agreed to a procedure whereby the First Committee approved both resolutions simultaneously without a vote on December 4. After the resolutions were approved, Ambassador Martin said that the United States would have abstained on both resolutions had they been brought to a vote because in its view Assembly action on two resolutions embodying different approaches to the question would not advance the prospects for achieving a nuclear-weapon-free zone in South Asia. He added that an important consideration in determining the attitude of the United States toward a particular zone arrangement was whether it "effectively prohibits the indigenous development of any nuclear explosive capability for whatsoever purpose." The General Assembly adopted both resolutions without a vote on December 11.

#### South Pacific Nuclear-Weapon-Free Zone

In July 1975 the South Pacific Forum, an organization of independent or self-governing states in the South Pacific, commended the idea of creating a nuclear-weapon-free zone in that region as a means of keeping the South Pacific free from the risk of nuclear contamination and of involvement in a nuclear conflict. New Zealand and Fiji, subsequently joined by seven other states, brought the initiative before the 30th Assembly in a draft resolution introduced on October 31.



The resolution provided General Assembly endorsement of the idea of establishing a nuclear-weapon-free zone in the South Pacific, invited the countries concerned to consult about ways and means of realizing this objective, and expressed the hope that the nuclear-weapon states would cooperate fully in achieving the zone.

There was considerable interest in the proposal, as indicated by the fact that 24 states spoke on it during the First Committee's debate. On November 28 the Committee approved the draft resolution by a rollcall vote of 94 (P.R.C.) to 0, with 18 abstentions (France, U.K., U.S.S.R., U.S.). The General Assembly adopted it on December 11 by a recorded vote of 110 (P.R.C.) to 0, with 20 abstentions (France, U.K., U.S.S.R., U.S.).

In explaining the U.S. abstention, Ambassador Martin said that the United States shared the desire of the sponsors to find additional ways to limit the proliferation of nuclear weapons and to strengthen the security of the South Pacific region. The United States was prepared to support a resolution welcoming the initiative and calling for consultations among the states concerned without implying an advance commitment to the establishment of such a zone. He noted that the sponsors of the zone had indicated their intention to seek its extension eventually to include areas of the high seas. In these circumstances, the United States abstained because it could not "endorse a proposal that contemplates restrictions on internationally recognized rights of navigation and overflight of maritime areas, including the rights of innocent passage through territorial seas."

## OUTER SPACE

The United States continued its active participation during 1975 in the Committee on the Peaceful Uses of Outer Space, its subcommittees,<sup>12/</sup> and the General Assembly's consideration of outer space matters.

### LEGAL SUBCOMMITTEE

At its 14th session, held in New York, February 10-March 7, the Legal Subcommittee formed separate working groups to continue consideration of its three principal agenda items: (1) a draft treaty relating to the moon, (2) elaboration of principles governing the use by states of artificial earth satellites for direct television broadcasting, and (3) legal implications of remote sensing of the earth from space. Although some progress was made on each of these subjects, important differences on the main issues remained. The Subcommittee therefore concluded that it should continue consideration of these topics at its next session. In addition to the three major subjects, the Subcommittee also briefly discussed matters relating to the definition and/or delimitation of outer space and outer space activities, but no substantive proposals were put forward.

The working group on a draft moon treaty decided to concentrate its efforts on formulas that could lead to consensus on the exploration and exploitation of the moon's natural resources. It was unable to reach agreement on the interpretation of the principle that resources of the moon are the common heritage of mankind or on the timing of the establishment of a possible international regime to govern the exploitation of such resources. As a result, the two articles drafted by the working group contained alternate language reflecting the differing points of view. Two longstanding issues--whether the treaty should apply to other celes-

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<sup>12/</sup> The 37 members of the Outer Space Committee are Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chad, Chile, Czechoslovakia, Egypt, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Lebanon, Mexico, Mongolia, Morocco, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Sudan, Sweden, U.S.S.R., United Kingdom, United States, and Venezuela. The two subsidiary bodies which met in 1975, each of which has the same membership as the parent Committee, are the Legal Subcommittee and the Scientific and Technical Subcommittee.



tial bodies and the extent to which launching states should publish in advance information on their moon missions--were left unresolved and largely undiscussed.

With respect to direct television broadcasting by satellite, the working group generally agreed on 14 topics to be covered by draft principles: (1) purposes and objectives, (2) applicability of international law, (3) rights and benefits, (4) international cooperation, (5) state responsibility, (6) consent and participation, (7) spill-over, (8) program content, (9) unlawful/inadmissible broadcasts, (10) duty and right to consult, (11) peaceful settlement of disputes, (12) copyright, neighboring rights, and protection of television signals, (13) notification to the UN system, and (14) disruption. Although draft texts were developed on all of these, only three principles were accepted by general consensus. Those three provide that states are responsible for activities carried out by them or under their jurisdiction; disputes should be resolved by prompt consultation between concerned parties or by established procedures for peaceful settlement; and states shall take all necessary measures to prevent disruption between services with due regard to priority for communications relating to the safety of life. There were important disagreements on numerous issues under the other 11 topics. The key issue remained the question of prior consent by states in the reception area of a television broadcasting satellite for the establishment and program content of a direct television broadcasting system.

For the first time the question of legal principles relating to remote sensing by satellite of the earth's natural resources and environment received detailed discussion and debate. The working group on remote sensing had before it the draft principles previously submitted by France and the U.S.S.R., a draft treaty submitted by Brazil and Argentina at the 29th General Assembly for consideration by the Legal Subcommittee, and a working paper on guidelines for remote sensing of the natural environment submitted by the United States on February 19, 1975. These guidelines reflected the U.S. position that all states have the right to acquire remote sensing data by satellites and that a policy of open availability of data, as practiced under the experimental NASA LANDSAT program, is the most practical and advantageous for all countries. Among the principal points discussed by the working group was whether prior consent of a sensed state should be required for the acquisition and distribution of remote sensing data whenever operational remote sensing systems might be established in the future. Although no agreements were reached, the working group identified from the proposals discussed common elements in five areas: the purpose of remote sensing, the applicable elements of international law, the impor-

tance of international cooperation, the need to encourage international participation, and the use of remote sensing to protect the earth's natural environment.

#### SCIENTIFIC AND TECHNICAL SUBCOMMITTEE

The Scientific and Technical Subcommittee devoted a large part of its 12th session, held in New York, April 21-May 2, to the organizational and financial aspects of remote sensing of the earth by satellites. In the general debate the U.S. Representative outlined the significant role played by the United States in the field of remote sensing for peaceful purposes, cited many examples of its cooperation with other countries in various fields of space research and application, and emphasized that the various LANDSAT ground stations established under bilateral agreements with other countries could serve as useful steps toward regional data processing, storage, and dissemination centers.

The report adopted by the Subcommittee featured the various aspects of NASA's LANDSAT program, expressed the hope that countries in other regions of the world would establish similar ground stations, and urged interested countries to explore regional cooperation. There was recognition that the U.S. experimental LANDSAT program, because of its availability to all countries, might become a model for operational patterns in the future.

Recognizing the need for further information on the organizational and financial aspects of remote sensing, the Subcommittee's report recommended that the UN Secretariat prepare a further series of studies and reports on the cost-effectiveness of remote sensing, a possible coordinating function for the United Nations in future remote sensing activities, existing and planned national and regional remote sensing facilities, and the organizational and financial requirements of an international remote sensing system. In addition, the Subcommittee recommended that the Secretary General be requested to explore the feasibility of using existing facilities to establish on an experimental basis an international center for training and assisting personnel from developing countries in the most effective use of remote sensing information. Finally, the report recommended that the Secretary General survey the needs of users in this field, using the UNDP and other UN bodies as appropriate.

The Subcommittee discussed and agreed to the proposed 1976 space applications program, and recommended that further information and clarification be obtained on a possible future UN conference on space matters.



## OUTER SPACE COMMITTEE

At its 18th session, held in New York, June 9 - 20, the Committee on the Peaceful Uses of Outer Space reviewed the reports of its two subcommittees and approved their recommended programs of future work.

Regarding the use of satellites for direct television broadcasting, the Committee expressed satisfaction with the progress of its Legal Subcommittee. However, the Committee made no significant progress in resolving the critical differences between the adherents of the prior-consent concept and the adherents (including the United States) of the freedom-of-information concept, as affirmed in Article 19 of the Universal Declaration of Human Rights.

The Committee devoted most of its attention to remote sensing. The principal issue was the future mandate of the Legal Subcommittee which, the Committee finally agreed, should (1) continue its detailed legal consideration of remote sensing of the earth from space with a view to identifying further common elements among the views of states, and (2) proceed to drafting principles where common elements were identified. Noting with satisfaction the work of its Scientific and Technical Subcommittee, the Committee confirmed that further studies of the organizational and financial aspects of remote sensing should progress together with consideration of the legal aspects, and endorsed the Subcommittee's recommendations concerning future studies and actions by the Secretary General.

The Committee noted the work of the Legal Subcommittee on developing a draft moon treaty, but there was no real progress in resolving the differences in this area.

The Committee noted and endorsed the other recommendations of its subcommittees, but was unable to reach agreement on the question of convening a UN conference on space matters. The Committee voiced the opinion that the practice of rotating meetings of the Legal Subcommittee between New York and Geneva should be maintained.

## GENERAL ASSEMBLY

At six meetings between October 10 and 15, 1975, the First Committee of the 30th General Assembly considered its two agenda items on outer space, "International cooperation in the peaceful uses of outer space" and "Preparation of an international convention on principles governing the use by states of artificial earth satellites for direct television broadcasting." Representatives of 51 states spoke on various outer

space issues, devoting particular attention to remote sensing. The statements reflected a growing recognition among many states of the potential contributions that analysis of remote sensing data could make to their own national economic development plans, and a significant number noted that care should be taken to avoid measures that might interfere with their ability to benefit from remote sensing technology.

Regarding direct television broadcasting, the U.S. Representative, Ambassador Bennett, on October 13 explained a U.S. proposal for consultations to help resolve the problem of prior consent:

"In his August statement on international law before the American Bar Association meeting in Montreal, Secretary of State Kissinger suggested that any system for direct television broadcasting by satellite should be accompanied by full consultations among the countries concerned. . . . we are proposing that before direct television broadcasting is undertaken, states within the reception area should be notified of the intention to broadcast. Those who broadcast should be prepared, on a reciprocal basis, to assume an obligation to give formal notification to states within the likely broadcast area. In addition, those who broadcast should agree to consult fully with the governments of the states in the intended reception area if the latter so request, with the intention of making good-faith efforts to reconcile problems that may be raised.

"We believe that this approach would offer protection for any state which has legitimate concerns about direct television broadcasting into its territory, without establishing an international scheme based on prior consent. We do not envisage establishment through these procedures of a right of any state to prohibit others from undertaking broadcasting. We do envisage that such notification and consultation requirements would go substantively beyond the technical consultations now provided for within the ITU."

On October 15 the First Committee unanimously approved a draft resolution sponsored by 42 states including the United States. The resolution recommended that the Legal Subcommittee, as matters of high priority, (1) continue consideration of a draft moon treaty, (2) continue consideration of the elaboration of principles governing direct television broadcasting by satellites, (3) continue detailed legal consideration of remote sensing with a view to identifying further common elements among the views of states, and (4) proceed to the drafting of principles where such common elements are identified. The resolution noted



with satisfaction that the Scientific and Technical Subcommittee had examined the question of remote sensing of the earth from space and, as set forth in certain paragraphs of its report, had considered in detail the current preoperational/experimental phase as well as a possible future global/international operational remote sensing system or systems. (The paragraphs of the Subcommittee's report referred to featured the NASA LANDSAT program and noted that possible development of a global center should be studied in the light of such advantages as "dissemination of all data and information to all countries on an equal and nondiscriminatory basis.") The resolution also endorsed the other recommendations of the Outer Space Committee, including those calling for further studies and actions by the Secretary General. The draft resolution was adopted unanimously by the General Assembly on November 18.

## LAW OF THE SEA

The Third UN Conference on the Law of the Sea held its third (second substantive) session in Geneva from March 17 to May 9, 1975. The Special Representative of the President to the Conference and the Head of the U.S. Delegation was Ambassador John R. Stevenson. The Deputy Special Representative and Deputy Head of Delegation was Ambassador John Norton Moore.

This session of the Conference came after 3 years of preparatory work in the UN Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction which had held sessions in New York and Geneva, 1971-73. The organizational session of the Conference was held in New York in December 1973 and the first substantive session in Caracas in 1974.

The basic Conference structure for the session remained the same as that of the Seabed Committee. In addition to the plenary Conference, presided over by President Amerasinghe of Sri Lanka, there were three main committees, an informal working group on dispute settlement, and a number of other working groups representing various geographic or special interest affinities. Committee I (chaired by Paul Engo of Cameroon) dealt with the principles and machinery for the exploitation of the deep seabed; Committee II (chaired by Reynaldo Galindo Pohl of El Salvador) dealt with traditional law of the sea issues, including baselines, the territorial sea, straits, the continental shelf, fisheries, the high seas, archipelagoes, islands, and the rights of landlocked, shelflocked, and other geographically disadvantaged states; and Committee III (chaired by Alexander Yankov of Bulgaria) addressed the subjects of marine pollution, scientific research, and the transfer of technology. The informal working group on dispute settlement was chaired by E. Lauterpacht of Australia.

The Conference agreed that a fourth session should be held in New York, March-May 1976, with a fifth session later in 1976 if it proved necessary. This would be followed by a formal signing session in Caracas. On December 12 the 30th General Assembly adopted without vote a resolution to that effect.

The most important development at the Geneva session of the Conference was the preparation by the chairmen of the committees and the dispute settlement group of an informal single negotiating text covering all subjects before the Conference. While the text did not represent agreed articles or consensus texts,



it represented the judgment of the chairmen, based on their assessments of the negotiation thus far, on the appropriate starting point for further negotiations. The text proved highly useful as a common basis of discussion during the intersessional period and was to be the basis of further negotiations at the 1976 New York session.

The virtual deadlock in the Committee I negotiations concerning the exploitation of the deep seabed remained the most serious obstacle to the successful completion of the Conference.

#### CONFERENCE COMMITTEE I: Exploitation of the Deep Seabed

Although serious negotiations took place in Committee I, with a number of compromise proposals being explored, the most striking feature of the session was the unwillingness of the developing countries to make concessions on what they considered their more fundamental ideological positions. Although the developing countries were somewhat receptive to basic U.S. concerns in the area of institutional structure and the need to limit the proposed international Authority's powers over exploitation, it proved impossible to bridge the ideological gap on the type of exploitation system. Despite a U.S. effort to be forthcoming on some of their demands for participation, the developing countries continued to support the view that only a system in which the proposed Authority directly exploited the seabed would protect their interests.

The United States entered the Committee I negotiations with a willingness to be flexible on issues of direct concern to the developing countries, while at the same time safeguarding its most important deep seabed mining interests in access to minerals. During the first half of the session, the United States agreed to consider including in the treaty basic conditions of exploitation as opposed to detailed regulatory provisions. The United States also proposed considering a system of joint ventures, with the possibility of profit-sharing with the Authority, as the single method of exploitation, and proposed a reservation-of-areas system. Under this approach, an applicant for a joint venture would submit two mine sites, one of which the Authority would approve, while the other would be designated as a reserved area. In the reserved area, the Authority could negotiate with applicants for the most favorable financial terms and commitments to transfer technology.

At mid-session, the Representative of Sri Lanka (C. W. Pinto) introduced a personal draft of proposed basic conditions for exploitation which focused primarily

on a contractual joint venture system that included reservation of some areas for states and others for direct exploitation by the Authority. This elaboration of a parallel system was intensively considered by the group of developing countries, who eventually rejected both the concept of designating some areas solely for state exploitation and the concept of a parallel system as elaborated in the Sri Lankan draft. The reasons given by the developing countries for this rejection was their ideological difficulty with establishing two separate regimes for the international Area beyond national control.

The single negotiating text on the machinery for exploitation in the Area was based primarily on a new, unified position reached by the developing countries. It provided that the principal organs of the proposed world Authority for the seabed should be an assembly, a council, a tribunal, an enterprise, and a secretariat. The assembly would be the supreme policy-making organ; it would elect members of the council and appoint members of the tribunal and of the governing board of the enterprise. The council would be a 36-member executive organ; the tribunal would consist of 9 independent judges; and the enterprise would undertake preparation and execution of the Authority's activities in the Area. The most important aspects of the developing countries' new position were their willingness (1) to reserve a portion of the seats on the council for representatives of countries that have a special interest in the deep seabed, and (2) to submit the entire exploitation system to the control of the council. The developing countries did not reach an agreed position on production controls, apparently as a result of the differing interests of producers and consumers within the group.

#### CONFERENCE COMMITTEE II:

#### Territorial Sea, Straits, and the Economic Zone

The single negotiating text reflected general agreement in Committee II on a 12-mile maximum territorial sea, unimpeded passage of straits, and a 200-mile economic zone with sovereign rights over living and non-living resources and special treatment for anadromous species of fish (such as salmon). The committee completed, in informal meetings, a review of the paper developed in Caracas to reflect the main trends of the discussions. Working groups dealt with virtually all of the traditional details of the territorial sea question (including baselines and innocent passage) and the high seas regime, making some technical changes in the existing regime.



The Evensen Group<sup>13/</sup> prepared a text on the economic zone that reflected a broad trend of opinion. However, its circulation was followed by efforts of the extreme territorialists among the developing countries to make the economic zone more coastally oriented and by efforts of the landlocked and geographically disadvantaged states to secure greater rights of access to fisheries of neighboring coastal states. With respect to fisheries, the Evensen Group text proposed articles providing for both conservation and full utilization of stocks, and for the protection of the interests of the state of origin of anadromous stocks. While no agreement emerged on continental shelf jurisdiction beyond 200 miles, it was increasingly recognized by many moderates that coastal state jurisdiction to a precisely defined limit of the margin beyond 200 miles coupled with revenue sharing beyond 200 miles was the only way to achieve widespread agreement.

The main negotiating problems that remained before Committee II at the end of the session included (1) determination of whether the legal status of the economic zone would remain one of the high seas or would become de facto territorial waters; (2) the question of access by landlocked and geographically disadvantaged states to fisheries in the economic zones of their neighbors; (3) the scope of the right of access to the sea for landlocked states; (4) the nature of the protective measures to be accorded highly migratory species of fish, such as tuna; (5) determination of the status of the continental shelf where it extends beyond the proposed 200-mile economic zone; (6) determination of boundaries and related islands problems between adjacent and opposite coastal states; and (7) determination of an objective definition of archipelagoes and of transit rights adequate to permit general acceptance of special provisions for archipelagoes.

#### CONFERENCE COMMITTEE III: Marine Pollution and Scientific Research

Committee III reached agreement on texts concerned with monitoring the risks and effects of marine pollution, assessing the environmental impact of activities planned by states, and setting standards for land-based sources of marine pollution. It moved close to agreement on texts concerned with dumping wastes at sea and controlling pollution of the continental shelf. These texts included meaningful obligations to protect the

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<sup>13/</sup> A broadly representative working group of states, including the United States, whose interests cut across the full range of conference issues. It was chaired by Jens Evensen of Norway.

environment, but there continued to be some opposition among states to accepting such obligations. Negotiations also continued on control of vessel-source pollution, but no final agreement was reached.

No agreement was reached in 1975 on marine scientific research within the economic zone. Negotiations focused mostly on the legal status of scientific installations and on state liability for damage caused by research. Alternatives narrowed somewhat from those supported in 1974, but there were still three different approaches, all of which were taken into account in the informal single negotiating text. The first of these approaches, advocated by some developing countries, provides that all scientific research in areas under coastal state jurisdiction should be conducted only with the explicit consent of the coastal state. The second, advocated by a group of landlocked and geographically disadvantaged states, including a number of Western European countries, provides that marine scientific research can be conducted by any state if a list of internationally agreed obligations are fulfilled, subject to dispute settlement procedures. The third, advocated by some Eastern European, Latin American, and other states, requires consent of the coastal state for research concerning resources, but does not require consent for other research provided it is carried out in compliance with internationally agreed obligations.

#### WORKING GROUP ON DISPUTE SETTLEMENT

There was general support for special dispute settlement machinery for the deep seabed. A majority of the more than 60 states that took part in the working group also favored the adoption of binding procedures in the economic zone, at least for some important aspects, such as navigation. However, the relationship between the exercise of coastal state jurisdiction over resources and the acceptance of dispute settlement procedures remained a particularly important and delicate problem. By the end of the session no agreement had been reached on whether there would be a comprehensive dispute settlement mechanism or whether each issue would be dealt with separately. It also remained unclear whether the mechanism would be the International Court of Justice, an arbitral body, a new Law of the Sea Tribunal, or a combination of these.



## GENERAL POLITICAL PROBLEMS

### MEMBERSHIP

Six newly independent states were admitted to the United Nations in 1975, bringing the total number of members to 144. The new members are the former Portuguese territories of Cape Verde, Mozambique, and São Tomé and Príncipe; the former French territory of Comoros; Papua New Guinea, a UN Trust Territory formerly administered by Australia; and the former Netherlands territory of Surinam. Three other states, the Democratic Republic of Viet-Nam, the Republic of South Viet-Nam, and the Republic of Korea, applied for membership but were not recommended by the Security Council.

### Cape Verde, São Tomé and Príncipe, and Mozambique

The People's Republic of Mozambique, on the African mainland, became independent on June 25, 1975, and applied for UN membership in a July 31 letter to the UN Secretary General. The Republic of Cape Verde, an island group off the west coast of Africa, became independent 10 days later on July 5 and applied for UN membership on July 21. The Democratic Republic of São Tomé and Príncipe, two islands in the Gulf of Guinea, became independent on July 12 and applied for UN membership on August 13.

The Security Council met on the morning of August 18 to consider all three applications and, pursuant to rule 59 of its provisional rules of procedure, referred the applications to its Committee on the Admission of New Members (a committee of the whole). The committee met almost immediately and unanimously recommended the adoption of three resolutions recommending to the General Assembly the admission of the applicants. That afternoon the Security Council met again and unanimously adopted the proposed resolutions.

The U.S. Representative, Ambassador Bennett, welcomed the prospect of the three new African members. He said that the United States was particularly pleased to support the Cape Verde application "because of the very long ties of friendship between our two countries." Continuing, he observed:

" . . . These ties go back to the early days of our own national independence. The first American consulate in Cape Verde was established in 1816. Over these many decades a large number of Cape Verdeans have emigrated to the United States.

Leaders of the Cape Verdean community estimate that between 200,000 and 300,000 American citizens are of Cape Verdean descent. They have added their language, their culture, and their fine traits of energy and self-reliance to the American scene."

Noting that São Tomé and Príncipe has "a long historical tradition and a rich cultural heritage," the U.S. Representative said:

". . . We are sympathetic to the aspirations of the Government of São Tomé and Príncipe for progress. To assist in the islands' economic development, the United States has made available scholarships in this country to help develop skilled resources for the islands. We look forward to cooperating closely with the representatives of the Democratic Republic of São Tomé and Príncipe in pursuing the lofty goals of the United Nations to which we are dedicated."

He concluded by stating:

". . . Mozambique, the Republic of Cape Verde, and the Democratic Republic of São Tomé and Príncipe, all of whom this Council has just recommended be admitted, constitute an important addition of African states to the United Nations. Their admission is another step toward the development of a worldwide organization in which we hope all those nations that desire membership and are willing and able to carry out their obligations will be represented."

On September 16 the 30th General Assembly unanimously adopted three resolutions, each cosponsored by Portugal and 53 other states, that admitted Cape Verde, São Tomé and Príncipe, and Mozambique to UN membership.

### Papua New Guinea

Papua New Guinea, occupying the eastern portion of the island of New Guinea and associated archipelagoes north of Australia, became independent on September 16 and the same day applied for UN membership. The Security Council met on September 22 to consider this application and immediately referred it to the Committee on the Admission of New Members. The committee, without objection, adopted a report that included a draft resolution in which the Council would recommend the admission of Papua New Guinea to the General Assembly. The Council met again within the hour to adopt the recommended resolution unanimously.

After the vote, the U.S. Representative, Ambassador Bennett, said that his delegation "concurred



wholeheartedly" in the membership committee's recommendation and supported "with particular satisfaction" Papua New Guinea's application for UN membership. Referring to his leadership of a UN visiting mission that had gone to Papua New Guinea to observe the 1972 elections for the House of Assembly, he observed that the 4-week electoral process had been "carried off with smooth efficiency by the administering power and with the reasoned exercise of their free will by the people of Papua New Guinea," and had led "directly through a series of steps in the constitutional process" to Papua New Guinea's independence. "Great credit," he said, "is due both to the people of Papua New Guinea and to Australia . . . for this orderly process of self-determination."

With reference to the new state he said:

"Papua New Guinea begins its life as a new nation with excellent prospects. Its functioning representative democracy and Constitution fully debated by the people's representatives, as well as the admirable respect which the Papua New Guineans have shown for human rights and due process of law, bode well for the future. Papua New Guinea has cordial relations with its neighbors and enjoys rich natural resources and the elements of a sound and expanding economy.

"In contrast to many new members of the United Nations, Papua New Guinea already has a wealth of firsthand experience in this organization through its participation in the deliberations of the Trusteeship Council and the Fourth Committee. . . .

. . . . .

"Mr. President, the United States believes that Papua New Guinea will be a valuable and productive new member in the community of nations, and we warmly have supported its application for membership in the United Nations."

On October 10 the General Assembly unanimously adopted a resolution, cosponsored by 85 states including Australia, most of the other members of the British Commonwealth, and the United States, that admitted Papua New Guinea to UN membership.

### Comoros

The Comoros, an island group off the east coast of Africa, issued a unilateral declaration of independence on July 6. The French were unable to accept the declaration because a constitutional problem had arisen

between the islands and France. In a referendum held on December 22, 1974, an overwhelming majority of the people of the Comoros voted in favor of independence. However, on one of the islands, Mayotte, two-thirds of the inhabitants had voted otherwise, and on July 3, 1975, French law called for island-by-island approval of a new constitution before agreement on independence for the Comoros.

On September 29, with the constitutional problem still unresolved, the Comoros applied for UN membership. The Security Council met on October 17 and referred the application to its Committee on the Admission of New Members. The committee met immediately thereafter and, without discussion, adopted a report recommending the admission of the Comoros. The Security Council considered the report that afternoon and by a vote of 14 to 0 accepted the committee's recommendation.

At the beginning of the afternoon meeting the French Representative had announced that in light of the still unresolved constitutional problem, "we do not feel that we can participate in either the discussion or the voting on this item on the agenda." He went on to say, however, that "France would voice the hope that the Comoros and the international community will construe that attitude as proof of its desire to assist, as soon as possible, in the adoption of a final solution acceptable to all the parties concerned."

Speaking after the vote, Ambassador Moynihan said:

"... The U.S. Government has followed closely the evolution of self-determination in the Comoros. In that connection, we recognize the important role which has been played in that process by France. We hope that the reasons for France's inability to sponsor Comorean membership will soon be overcome and that the two will enjoy good relations.

"The United States was pleased to vote for the admission to the United Nations of the Comoros . . . ."

On November 12 the General Assembly considered the recommendation of the Security Council. The French Representative, after recalling the French statement in the Council, declared that France "is always willing to grant independence to peoples that desire it, but it cannot oppose the self-determination of peoples." He further stated that in light of these considerations, "the French delegation, to its great regret, cannot participate in a consensus on the text by which the Comoros will be admitted to our organization."



The Assembly then adopted, without a vote, a resolution cosponsored by 76 states, including nearly all of the African members, that admitted the Comoros to UN membership.

### Surinam

Surinam, a South American territory within the Kingdom of the Netherlands enjoying complete domestic autonomy, became independent in agreement with the Netherlands on November 25 and that same day applied for admission to the United Nations.

The Security Council on December 1 referred the application to its Committee on the Admission of New Members. The committee, without discussion, adopted a report to the Council which included a draft resolution recommending Surinam's admission. The Council met again in the afternoon of the same day and by unanimous vote adopted the proposed resolution.

Speaking after the vote, the U.S. Representative, Ambassador Bennett, said, "We warmly support and endorse Surinam's application for membership in the United Nations." He continued:

"Surinam has a long history of democratic traditions, and has enjoyed a large measure of self-government since 1954. Its Legislative Council has been in existence for more than 100 years, 110 years to be exact.

"As in any new country arriving on the world stage today, there will be problems. However, the rich diversity and abilities of Surinam's population and the demonstrated commitment of Surinam's elected leaders to the welfare of their people are cause for optimism about Surinam's future.

"Surinam's rich natural resources, the variety of agricultural production which Surinam's fertile soil makes possible, and Surinam's commitment to liberal trade policies are convincing evidence of Surinam's excellent prospects for continued economic development."

Ambassador Bennett then described the long-standing Surinam-United States relations, noting that the first U.S. Consulate in Paramaribo was established in 1790. He concluded his statement by expressing "our admiration for the exemplary role which the Government of the Kingdom of the Netherlands has played in the emergence of Surinam as an independent state," and declaring that "It is the sincere desire of the United States to cooperate cordially and fully with Surinam as a sovereign and independent nation and as a member of the United Nations."

On December 4 the General Assembly adopted without vote a resolution, cosponsored by 75 states, including the Netherlands, the United States, and nearly all Latin American and Caribbean countries, that admitted Surinam to UN membership.

### The Viet-Nams and Korea

The Republic of South Viet-Nam and the Democratic Republic of Viet-Nam (North Viet-Nam) submitted applications for UN membership on July 15 and 16, respectively. On July 18 both states applied for observer status at the United Nations. These requests were granted by the Secretary General and observer delegations arrived in New York late that month.

On July 30 the Republic of Korea (South Korea), which has periodically tried to join the United Nations since 1949, reactivated its original application. (In 1949, 1955, 1957, and 1958 Korean membership had been vetoed by the U.S.S.R.)

The Security Council met on August 6 to consider a proposed agenda with these three applications on it. On the same day, a Department of State spokesman announced that the United States would not participate in a selective program of universality and therefore, as a permanent member of the Security Council, the United States would veto the two Vietnamese applications unless the Republic of Korea also was admitted.

Later that day the Security Council decided, by identical votes of 14 to 0, with 1 abstention (U.S.), to place the two Vietnamese applications on its agenda for formal consideration. It declined, by a vote of 7 in favor (Costa Rica, France, Italy, Japan, Sweden, U.K., U.S.) to 6 opposed (Byelorussian S.S.R., P.R.C., Iraq, Mauritania, Tanzania, U.S.S.R.) with 2 abstentions (Cameroon, Guyana), to consider the application of the Republic of Korea. Article 27 (2) of the UN Charter provides that nine affirmative votes are required on procedural matters. The Security Council then voted on the adoption of the agenda as a whole, which comprised only the two Vietnamese applications, and approved it by a vote of 13 to 1 (U.S.), with 2 abstentions (Costa Rica, U.K.). (The veto does not apply to procedural matters.)

The applications were referred to the Committee on the Admission of New Members which considered them on August 7 and 8 and forwarded to the Council a report including draft resolutions recommending the admission of the two states. The United States and Costa Rica disassociated themselves from the report.



On August 11, when the Security Council met again to consider the two resolutions proposed by its Membership Committee, the United States vetoed both Vietnamese applications. Each vote was 13 to 1 (U.S.), with 1 abstention (Costa Rica).

The question of Vietnamese membership was raised in the 30th General Assembly which adopted on September 19 by a vote of 123 to 0, with 9 abstentions (U.S.), a resolution sponsored by Algeria and 66 other states. The resolution considered that the two Viet-Nams should be admitted to membership in the United Nations and requested the Security Council to reconsider "immediately and favorably" the two applications. Responding to this request, the Council met five times between September 26 and 30 to consider the applications. Nineteen states in addition to all members of the Council spoke during the debate. When the Council again refused to consider the application of the Republic of Korea, the United States again vetoed the Vietnamese applications.

On November 5 the General Assembly decided, at the request of the Vietnamese, to take no further action on their applications during 1975, but to consider them as a matter of priority at the 31st session in 1976.

#### PEACEKEEPING GUIDELINES

In 1965 the 19th General Assembly adopted a resolution establishing a Special Committee on Peacekeeping Operations to undertake a comprehensive review of peacekeeping operations in all their aspects, including ways of overcoming the financial difficulties of the UN organization. (This referred to the failure of some states to pay assessments for certain peacekeeping operations.) The President of the Assembly appointed 33 states to the Committee.<sup>14/</sup> In 1973 the 28th General Assembly requested the Committee and its Working Group<sup>15/</sup>

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<sup>14/</sup> The present members are Afghanistan, Algeria, Argentina, Australia, Austria, Brazil, Canada, Czechoslovakia, Denmark, Egypt, El Salvador, Ethiopia, France, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

<sup>15/</sup> Members are the 6 officers of the Committee (Chairman--Nigeria; Vice Chairmen--Brazil, Canada, Czechoslovakia, Japan; Rapporteur--Egypt), plus Argentina, France, India, Pakistan, U.S.S.R., United Kingdom, and United States.

to intensify their efforts toward achieving agreed guidelines for carrying out peacekeeping operations in conformity with the Charter of the United Nations. A resolution along the same lines was adopted by the 29th Assembly in 1974.

### Peacekeeping Committee

Following the opening meeting of the full Committee on March 14, the Working Group held 15 meetings between March 26 and October 31. There was considerable informal discussion, particularly among the four permanent members of the Security Council in the Working Group, in addition to the formal Working Group meetings. The Working Group examined the introduction and articles 1 through 6 of the principles which it had drafted the previous year. These dealt primarily with the respective roles of the Security Council and the Secretary General in peacekeeping operations and the possible role of a subsidiary body under the Security Council. In addition there was discussion of new formulations put forward in the Working Group.

Although tentative formulas covering a few aspects of guidelines were prepared, in most cases the Working Group was unable to agree on a single formulation or even to reduce the number of alternative texts being considered. Reflecting this lack of tangible results in its report to the Committee, the Working Group expressed its deep regret that it had not been possible to make further progress in the completion of agreed guidelines. It recognized that the fundamental nature of the issues had given rise to certain important differences between some members of the Working Group concerning basic political and institutional problems which needed further substantive negotiations. The Working Group expressed the opinion that more time and greater accommodation were required to overcome existing differences and that efforts toward this end should be continued, having due regard to circumstances likely to lead to further progress. The Working Group believed that it should also devote attention to considering specific questions related to practical implementation of peacekeeping operations.

At its second and final meeting on November 17, the full Committee noted the Working Group's report and in its own report reiterated the conclusions and recommendations of the Working Group.

### General Assembly

The report of the Peacekeeping Committee was considered by the Special Political Committee at five meetings between November 21 and December 5. Only 30 states



took part in the debate, over half of them members of the Peacekeeping Committee or troop contributors to various operations. Many stressed the continued need for establishing agreed guidelines for future peacekeeping operations. In view of the difficulties in reaching such agreement, however, many delegations noted with satisfaction that the report of the Special Committee on Peacekeeping Operations recommended that attention be devoted to specific questions related to the practical implementation of operations, such as standard logistic arrangements and unified training manuals and programs for peacekeeping contingents.

Speaking in the Special Political Committee on November 25, the U.S. Representative, Clarence M. Mitchell, Jr., said that the United States continued to attach high importance to the peacekeeping function of the United Nations in order to prevent the outbreak of hostilities and to provide the opportunity for the peaceful settlement of disputes. He said that, based on the experience of UN peacekeeping forces,

" . . . we are convinced that a high degree of flexibility is required to allow the Security Council, the Secretary General, and the peacekeeping force commander to deal with unique circumstances involved in each case. We consequently continue to believe that guidelines must be general in nature. One of the major purposes of generalized guidelines should be to define in broad but clear terms the division of responsibility between the principal UN organs involved. While the Security Council has primary responsibility for authorizing peacekeeping operations and determining the major directions for any peacekeeping force, it is important that the Secretary General have sufficient authority and flexibility to ensure the effective functioning of these forces. The Security Council could maintain its overall and continuing responsibility by receiving regular reports from the Secretary General, by periodically reviewing the work of the peacekeeping force, and, if it considers it advisable, by establishing an advisory or consultative committee."

In view of the practical successes of various peacekeeping forces, the United States believed the United Nations should not be unduly disheartened by its failure to reach agreement on generalized guidelines. In conclusion, the U.S. Representative said that the experience of the Peacekeeping Committee indicated the need for further reflection on how best to approach the problem, and he suggested considering some hiatus in the drafting efforts of the Committee.

On December 3 Nigeria introduced in the Special Political Committee a draft resolution which was ulti-

mately sponsored by 37 countries, including all members of the Peacekeeping Committee. The resolution noted the report of the Peacekeeping Committee, requested it and its Working Group to renew efforts toward completing agreed guidelines on peacekeeping operations, appealed to members of the Peacekeeping Committee to show greater accommodation in this effort, and requested that attention also be devoted to considering specific questions related to practical implementation of peacekeeping operations.

The draft resolution was approved without a vote on December 5 and adopted by the Assembly in plenary session, also without a vote, on December 10.

### STRENGTHENING INTERNATIONAL SECURITY

In 1969 the Soviet Union proposed an agenda item for the General Assembly on "Strengthening international security." In 1970 the Assembly adopted a declaration on this topic that touched on the full range of UN activity, including such issues as peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Annually since 1971 the Assembly has had on its agenda an item entitled "Implementation of the Declaration on the Strengthening of International Security."

As in previous years, the item was referred in 1975 to the First Committee where it was considered as the second item of business at six meetings between October 15 and 20. Forty-one states took part in the debate on this question.

On October 16 the German Democratic Republic introduced a draft resolution sponsored by nine states. The main operative paragraph of the draft reaffirmed the 1970 declaration and, inter alia, called upon all states "to seek promptly to convene a world disarmament conference" and suggested the Conference on Security and Cooperation in Europe as a model for regional security systems.

On October 17 Algeria introduced a draft resolution, eventually sponsored by 28 states, which substantially repeated the resolution on this subject adopted in 1974 while adding some new elements. In its most important operative paragraphs the draft (1) sought to have the UN Charter and the 1970 declaration form the basis of relations among states; (2) reaffirmed the right of all states to participate in the settlement of international problems on a basis of equality; (3) reaffirmed "that any measure or pressure directed against any state while exercising its sovereign right freely to dispose of its



natural resources constitutes a flagrant violation of the right of self-determination of peoples and of the principle of nonintervention, as set forth in the Charter, which, if pursued, could constitute a threat to international peace and security"; and (4) commended the "dismantling of foreign military bases, the creation of zones of peace and the encouragement of general and complete disarmament." The UN Secretary General was again requested to report to the next Assembly on the implementation of the Declaration on the Strengthening of International Security.

After consultations among the sponsors of the two draft resolutions, a compromise draft was introduced by Algeria on October 20 on behalf of 37 states. The revised resolution consisted of the basic Algerian draft with a few additions from the G.D.R. draft, including a call for a world disarmament conference. The First Committee approved the resolution on October 20 by a vote of 87 to 1 (U.S.), with 16 abstentions. The General Assembly adopted the resolution on November 18 by a recorded vote of 109 to 0, with 19 abstentions (U.S.). (The United States later advised the UN Secretariat that it had intended to vote against the resolution.)

The United States based its opposition to the resolution principally upon the paragraph concerning measures or pressures against states' disposing of their natural resources, although it also had objections to other provisions in the resolution. In explaining the U.S. vote in the First Committee, Richard T. Whistler noted that such language "would inhibit states from making any attempt to influence actions of other states in connection with disposition of their natural resources even where permitted by international law." The United States could not accept the conclusion that completely legitimate actions of this nature would in any way constitute a "flagrant violation of the right of self-determination of peoples and the principle of nonintervention" or a "threat to international peace" as the resolution asserted.

#### EFFORTS TOWARD STRENGTHENING THE UNITED NATIONS

The General Assembly again had on its agenda for its 30th session two substantively related items: (1) Report of the Ad Hoc Committee on the Charter of the United Nations, and (2) Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of cooperation among all nations, and the promotion of the rules of international law in relations between states. Both items were referred to the Assembly's Sixth (Legal) Committee, where they were considered together at 18 meetings between November 10 and December 5.

## Background

### Report of the Ad Hoc Committee

Under its agenda item "Need to consider suggestions regarding the review of the Charter of the United Nations," which had its origin in a 1969 Colombian initiative, the General Assembly in 1974 had established an ad hoc committee to consider suggestions of member states involving Charter amendment and also suggestions for more effective UN functioning that would not involve amendment.

The ad hoc committee,<sup>16/</sup> including the five permanent members of the Security Council whose ratification is essential to bring any Charter amendment into effect, met from July 28 to August 22. The committee had before it two documents prepared by the Secretary General: (1) an analytical paper containing the written observations of 43 governments in response to Assembly resolutions on this subject in 1970, 1972, and 1974, as well as views expressed by 57 additional states during the Assembly's debates in 1972 and 1974; and (2) a paper on experience in the application of the Charter provisions with regard to the Secretariat, requested by the Assembly in 1974.

Thirty-five states took part in the committee's general debate, which occupied most of the meetings. The committee's report to the 30th General Assembly noted "a fundamental divergence of opinion on the necessity of carrying out a review of the Charter." It stated that no "formal textual proposals" were made and that the "general suggestions made in individual statements were not submitted to a wide discussion." The report therefore contained no conclusions or recommendations, but carried in an annex the texts of the statements made.

### Strengthening the UN Role

The agenda item on strengthening the UN role had its origin in a 1972 Romanian initiative. In 1972, 1973, and 1974 the General Assembly had adopted by consensus resolutions requesting member states to submit their views, suggestions, and proposals. In 1974 the resolution also referred to the 30th Assembly for con-

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<sup>16/</sup>The 42 members were Algeria, Argentina, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.



sideration the Secretary General's report covering all views submitted by that time. Altogether 28 member states had replied in writing, some of them more than once. (An additional 20 states had expressed views during the Assembly's debate.) At the initiative of Australia, the Assembly had also adopted under this item in 1974 a resolution on "Peaceful Settlement of International Disputes," requesting an up-to-date report from the Secretary General on the machinery established under the Charter for the peaceful settlement of international disputes.

#### U.S. Position

The United States had participated in the consensuses by which the three resolutions on strengthening the UN role had been adopted and had submitted its views and suggestions pursuant to the Assembly's 1972 request on August 7, 1973. In this reply, the United States declared its readiness to cooperate with all member states in seeking ways to strengthen the role of the United Nations but reiterated its long-standing view that strengthening the United Nations depended more on the national will of its members than upon institutional reforms. The U.S. reply also noted certain specific areas of reform that in its view continued to merit attention and made certain concrete suggestions with respect thereto within the framework of the Charter as it now stands.

With respect to Charter review, the United States in a letter of May 23, 1975, reaffirmed its basic position that "the most urgent need of the international community is for member states to strengthen their resolve to bring national policies and actions more into line with their obligations under the Charter." Describing the Charter as the principal bond creating for its members a worldwide community of nations despite the existence of widely differing views and philosophies of government, the U.S. letter warned that "any serious effort to reconsider or revise the Charter must be looked at with great care lest the basis for the sometimes fragile ties among member states be weakened." The letter further stated that the United States saw no evidence of agreement now among the United Nations membership "on even the broad objectives of overall review" and reiterated the U.S. preference for a case-by-case approach to changes in the Charter. "Only when there is a reasonable prospect for the development of necessary agreement on the specific amendment concerned," the United States asserted, "should such efforts be pursued." In conclusion the U.S. letter stated:

"We believe that the United Nations overriding need at present is to function as a 'center for harmonizing the actions of nations' as stipulated

by the Charter itself. We believe that the re-dedication to this objective and the taking of practical steps to encourage respect for both assenting and dissenting views in the decision-making process is the most important contribution that could be made to move the United Nations toward the ideal of international cooperation that the Charter was designed to attain."

This view was subsequently reiterated by Robert B. Rosenstock, the U.S. Representative in the Ad Hoc Committee on the UN Charter. He denied that this view in any way reflected a belief that the United Nations was functioning perfectly or an effort to maintain the status quo, stressing the flexibility of the Charter as demonstrated by its evolution over the past 30 years. Rather, he said, "we continue to believe that the risks in any effort at comprehensive Charter review at this time far outweigh the chances of accomplishment." The U.S. Representative then referred to certain broad areas of UN operations where further study was warranted and to the various proposals for procedural and structural reform of the United Nations that were still before the United Nations for consideration in the appropriate bodies, declaring, "The United States remains prepared to cooperate fully in any efforts along these lines that the Assembly may decide to undertake." In conclusion, he pointed out that an analysis of the submissions of governments indicated that the majority of those responding did not favor Charter review.

". . . At the 29th session of the General Assembly a number of delegates favored the establishment of an ad hoc committee whose main purpose . . . would be to ascertain whether there is a need to embark on a review. In the fulfillment of our mandate, we must take full account of the fact that most states members have neither responded nor supported the idea of Charter review. Furthermore, the statements made in this Committee since its inception on 28 July by no means suggest a ground swell of enthusiasm for review of the Charter.

"In our view there is a substantial risk to all if this matter is pressed when the time is so clearly not right."

### 30th General Assembly Consideration

The Sixth Committee had before it the report of the Ad Hoc Committee on the UN Charter, reports of the Secretary General on the views of member states submitted under the Romanian item and on peaceful settlement, and a document submitted by Romania entitled "Romania's position on improvement and democratization of the



activities of the United Nations and the strengthening of its role in achieving cooperation among all states without distinction as to social system, in building a more just and a better world, and in securing a durable peace." This document contained concrete proposals, some involving basic Charter amendment, some not.

The ensuing debate, in which 80 states took part, was directed more toward what was the most desirable and effective approach to strengthening the United Nations than toward concrete proposals. Where such proposals were discussed, it was in general rather than specific terms. Favorable references were made by some speakers to the Romanian document, but without comment on the actual proposals it contained. Similarly, the importance of the Australian initiative at the 29th session on peaceful settlement and the need for further work in this area was recognized by some but without detailed discussion for the most part. The wide divergence in views on how best to approach the problem of strengthening the United Nations continued, ranging from those who have consistently over the years opposed any review or change in the Charter, through those who oppose overall review but not necessarily any amendment where such appears both desirable and feasible, to those advocating very basic changes in the United Nations. Of the five permanent Security Council members, only China favored review, noting in particular the need to give "Third World" interests greater recognition in the Charter. In part as a result of the nature of the Ad Hoc Committee's report and the obvious conclusions to be drawn therefrom, and in part as a result of the consideration of this agenda item with that on strengthening the role of the United Nations, the discussion was broader and less divisive than that in 1974 when the Committee had considered the Charter review item by itself. There was a clear majority in favor of extending the mandate of the Ad Hoc Committee, with little opposition thereto expressly indicated, and substantial support, both explicit and implicit, for adding to the Committee's mandate the substance of the Romanian item.

#### U.S. Position

Speaking for the United States on November 14, Monroe Leigh, Legal Adviser of the Department of State, said that in the view of his delegation the items on Charter review and strengthening the role of the United Nations were the most important ones before the Sixth Committee. He said that since the Committee's debate in 1974, the United States had reviewed its position more than once, but it continued to view the question of Charter review with both skepticism and concern. Recognizing the shortcomings of the United Nations, he continued:

"Impediments to greater effectiveness of this organization do not lie in any restrictions or limitations imposed by the Charter. Those impediments are found in the political will of states which interpret and apply the Charter's provisions. Common sense, good will, and a sense of responsiveness to the common interests of mankind are not to be legislated. They will not be evoked by modification of the Charter; on the contrary, the present text of the UN Charter both allows and encourages those elusive qualities as much or more than any modifications we have heard discussed.

"Our doubts about this Charter review exercise are based on a concern that the United Nations will lose even that degree of consensus which we now share. We do not seek to maintain the status quo of 1945, or 1975. The Charter was conceived as a document which could stand the test of time by growing with evolving needs. It was conceived not merely as a constitutive treaty, but as a constitutional instrument.

"It has evolved, moreover, in central fields such as the effective functioning of the Security Council, peacekeeping, and human rights, including self-determination."

As a concrete example of the evolutionary development of the United Nations under the Charter, the U.S. Representative cited the agreement early in the organization's history that an abstention does not count as a veto despite the provision of Article 27 of the Charter that all Security Council decisions on substantive matters require the concurring votes of the Council's permanent members. This, he said, stands "as an excellent example of how the language of the Charter permits important evolutionary changes without requiring textual changes," and he warned that the "reopening of questions on matters to which we have all freely agreed on various occasions in the past is hardly likely to widen the areas of agreement among us."

He also warned that attempts to meet particular problems "of our moment in history by Charter amendment are likely to restrict the Charter's ability to continue flexibly to meet the needs of the future," and he reminded "those who say that if revisions of the Charter made in 1975 prove inappropriate in 1980 we can make further changes, that constant tinkering with a constitutional document can serve to destroy that institutional stability which is the sine qua non of the healthy growth and development of a parliamentary institution."



Finally, he said, we are concerned "that preoccupation with constant tinkering with the constitutional structure of the institution runs the great risk of diverting attentions and concerns from the urgent problems with which the institution can and must deal."

Reiterating the U.S. willingness "to consider measures for the improvement of the functioning of the United Nations and of its ability to perform its Charter responsibilities," the U.S. Representative noted the "unproductive nature" of the past summer's meeting of the Ad Hoc Committee on the UN Charter and declared: "No useful purpose can be served by repeating that experience." However, he continued:

"... We could see some utility in a committee which would follow up on the work of the Committee on Rationalization of the Procedures of the Assembly<sup>17</sup> and examine the wealth of governmental comments already submitted in the context of strengthening the role of the United Nations. In this connection, Mr. Chairman, we believe that it is not necessary to agree with all of the proposals put forward by Romania in order to acknowledge that we all owe them a debt of appreciation for having initiated the item and provided us with much food for thought."

In this general context, the U.S. Representative cited, as a "major area of concern" where UN members might usefully concentrate their efforts, the "strengthening and development of measures for the peaceful settlement of disputes." In this connection he emphasized the functioning and role of the International Court of Justice, urging those "who have hesitated to have recourse to the Court for fear it would apply a form of law created by another era" to take "a careful reading of the recent jurisprudence of the Court." At the same time he recognized that some disputes "can best be solved, or at least initially ameliorated, by other means," and made specific reference to negotiation between the parties; third party good offices, mediation, and conciliation; factfinding and inquiry; and arbitration. He concluded by declaring:

"There is clearly much to be done in the field of dispute settlement and prevention and much to be done in terms of making the UN system more effective. We must seek to accomplish as much as is humanly possible within the existing Charter before

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<sup>17</sup>The 31-member Special Committee on the Rationalization of the Procedures and Organization of the General Assembly was established by the 25th General Assembly in 1970 and submitted its report to the 26th Assembly in 1971.

distracting ourselves with more ambitious and less likely schemes involving amendments to the Charter."

#### General Assembly Action

On November 28, the Philippine Representative introduced a draft resolution eventually sponsored by 29 states. This draft merged the two items and decided that the Ad Hoc Committee should be reconvened as a "Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" to examine the observations of governments on both subjects, list the proposals made in the Committee, and identify those arousing special interest. The draft resolution further asked the Special Committee "to examine the proposals which have been made or will be made with a view to according priority to the consideration of those areas on which general agreement is possible"; decided to enlarge the Committee from 42 to 47<sup>18</sup> members; and invited governments to continue submitting observations and proposals. The Secretary General was asked to prepare a study complementing those already prepared under the two topics presenting analytically the views of governments. Finally, the draft resolution requested the Special Committee to report to the 31st session of the General Assembly.

On December 2 the Sixth Committee approved the draft resolution by consensus. The four permanent members of the Security Council opposing any effort at overall Charter review made clear in their explanations of vote that their joining in the consensus in no way indicated a change in this basic position.

On December 15 the General Assembly in plenary session adopted the resolution without a vote. After the adoption the U.S. Representative, Mr. Mitchell, said:

" . . . We have gone along with the consensus on this resolution out of respect for and in response to the spirit in which it was proffered. This spirit was particularly well-summarized by the distinguished Foreign Minister of the Philippines when he said in committee, 'No member objects to improving the United Nations; no member feels that the United Nations is beyond improvement.'

. . . . .

"We are now all joining to launch an exercise from the firm basis of consensus. If we continue in this spirit and on this basis, we are likely to benefit. If we deviate from it, all will be the losers."

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<sup>18</sup> Barbados, Belgium, Egypt, Iraq, and Romania were subsequently chosen by the regional groups.



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**PART II.**

**ECONOMIC, SOCIAL, SCIENTIFIC, AND**

**HUMAN RIGHTS AFFAIRS**

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UN responsibility for world economic, social, and human rights affairs is vested in the General Assembly and, under its authority, in the Economic and Social Council (ECOSOC). The latter is charged with coordinating the activities of the independent specialized agencies and certain other bodies of the UN system, including various subordinate standing and advisory committees, functional commissions and subcommissions, and the five regional economic commissions. It also does much of the preparatory work for the General Assembly, debating economic, social, and humanitarian issues and considering reports that are usually forwarded, with recommendations for further action, to the General Assembly where they are generally considered in the Second Committee (Economic and Financial) or the Third Committee (Social, Humanitarian, and Cultural).

In the past, major trade, financial, and developmental issues were considered for the most part in organizations outside the UN system or, within the UN system, in the four specialized agencies comprising the Bretton Woods group of international financial institutions (IMF, IBRD, IFC, IDA) where there is weighted voting based on financial input. In recent years, however, the developing countries have made UNCTAD, ECOSOC, and, particularly, the General Assembly their chosen forums for furthering their views on broad economic issues. As a result, the division between the developed and developing countries as reflected in voting patterns has become more evident. The rapid expansion of UN membership since 1960, combined with a growing tendency toward bloc voting, has enabled the developing countries to command a large majority on virtually any issue they consider of primary interest to them.

In the spring of 1974 this majority was used during the sixth special session of the General Assembly to adopt, with little effort to negotiate differences with the developed countries, resolutions on a "Declaration and Program of Action on the Establishment of a New International Economic Order" (NIEO). The adoption of the NIEO resolutions undercut the negotiations on a "Charter of Economic Rights and Duties of States" (CERDS) which had been underway for 2 years under UNCTAD auspices. As a result, CERDS was adopted during the 29th regular session of the General Assembly with many still unagreed provisions. The developed countries registered numerous reservations to both NIEO and CERDS and made clear that they did not consider themselves bound by them, since General Assembly resolutions have only recommendatory force. The United States and other developed countries were particularly opposed to provisions dealing with the arbitrary

treatment of foreign investment and expropriation without regard to international law or contractual obligations; primary commodity producer organizations (cartels); tying prices of developing country exports to prices of imports ("indexation"); and calls for restitution for alleged losses under colonialism, neo-colonialism, and the like.

The developing countries, on the other hand, took the position that NIEO and CERDS provided goals that the UN community was committed to strive to attain. Throughout much of 1975 the developing countries sought to reinforce NIEO and CERDS by inserting endorsements of them in declarations and resolutions adopted in a variety of forums on a variety of topics--including disarmament, environment, social development, status of women, trade law, and agriculture--whether or not such references were material to the subject at hand. Prominent among such examples were the Lima "Declaration and Plan of Action on Industrial Development and Cooperation," adopted by UNIDO in March at its Second General Conference, and the "Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace," adopted by the World Conference of the International Women's Year in July. And during its 30th session, the General Assembly on December 12 adopted by a recorded vote of 114 to 3 (U.S.), with 11 abstentions, a resolution (initiated by Mexico in the Second Committee) that endorsed CERDS, called for its implementation, set up a process of regular review by various UN bodies, and requested the Secretary General to publicize it widely in order to facilitate the observance of its provisions.

Despite the continuing preoccupation with NIEO and CERDS, the climate of confrontation to large extent gave way to one of cooperation as the result of the seventh special session of the General Assembly during the first 2 weeks of September 1975. The United States played a leading role in this session, which culminated in the adoption by consensus of a comprehensive omnibus resolution on "Development and International Economic Cooperation." The outcome of the seventh special session was warmly received by most UN members and was hailed as auguring the beginning of a new period of conciliation, cooperation, and negotiation. Much of this spirit carried over into the General Assembly's 30th regular session where many economic resolutions were adopted by a negotiated consensus. These included resolutions calling for the creation of an international technological information bank, establishment of an International Fund for Agricultural Development, and condemnation of corrupt practices involving transnational corporations.



A milestone for the United Nations in the area of strengthening human rights was the adoption by the World Conference of the International Women's Year of a World Plan of Action that provides guidelines for a long-term effort to eliminate discrimination against women. The United States had participated actively in preparing this plan which was subsequently endorsed by the General Assembly, which also proclaimed the years 1976-85 the "UN Decade for Women: Equality, Development, and Peace." A distinctly negative development in another human rights field was the General Assembly's adoption of a resolution equating Zionism with racism. This led the United States and some others to declare that they would not participate in the activities of the "Decade for Action to Combat Racism and Racial Discrimination" (1973-83).

In other social and scientific fields, the United Nations in 1975 continued its efforts to eradicate drug abuse throughout the world, sought to strengthen its capacity to respond to international disasters, and continued its preparations for the important 1976 UN Conference on Human Settlements.

## ECONOMIC ACTIVITIES

### SEVENTH SPECIAL SESSION OF THE GENERAL ASSEMBLY

The seventh special session of the General Assembly, on development and international economic cooperation, was held September 1-16, 1975, immediately prior to the General Assembly's 30th regular session. The special session had its roots in the International Development Strategy, a comprehensive document adopted in 1970 that had set forth an integrated program of national and international action to achieve a series of interrelated economic and social objectives during the Second UN Development Decade (the 1970's). The Strategy provided for periodic reviews and appraisals of progress made during the Decade.

In 1973, at the time of the first biennial review and appraisal, the 28th General Assembly adopted a resolution calling for the special session in 1975 to examine the political and other implications of the state of world development and international economic cooperation and, in the light of the implementation of the International Development Strategy, (1) consider new concepts and options with a view to promoting effectively the solution of world economic problems and (2) initiate structural changes in the UN system in order to make it "a more effective instrument of world economic cooperation and for the implementation of the International Development Strategy."

The hastily arranged sixth special session intervened, however. Its agenda dealt with raw materials and development, and it adopted resolutions calling for the establishment of a "new international economic order" which endorsed the demands of the developing countries for increased resource transfers and enhanced power in economic affairs.

The United States recognized that in a world of monetary instability, high unemployment, inflation, food shortages, energy crisis, recession in the free-market industrialized countries, and growing interdependence, efforts had to be made to meet the legitimate needs of developing countries. Moreover, problems between developed and developing nations could not be effectively dealt with by a posture of confrontation. Ultimately, despite widely varying country interests, the recognition of interdependence gave impetus to renewed dialogue and negotiations in order to widen areas of agreement and to promote the economic stability and growth vital to all countries, developed and developing alike.



The seventh special session in September 1975 provided an opportunity to initiate a serious dialogue and to reexamine former positions in order to identify areas of agreement where progress could be made on specific issues.

The United States began its preparations in early 1975, a process which culminated in the speech that Ambassador Moynihan delivered on behalf of Secretary of State Kissinger on the first day of the special session. The speech outlined major proposals in five fundamental areas in which development strategy should concentrate:

- International cooperation to ensure basic economic security by safeguarding developing countries against economic shocks such as sharp cyclical declines in export earnings, food shortages, and natural disasters;

- Laying the foundation for accelerated growth by improving the access of developing countries to capital markets, by adaptation of technology to development, and by reaching consensus on rules for foreign investment to facilitate the flow of capital;

- Improvement in the opportunities of the developing countries in the world trading system, so that they could make their own way by earnings rather than by aid;

- Improvement of the conditions for trade and investment in key commodities on which many developing country economies are dependent; and

- Attention to the special needs of the poorest countries most seriously affected by current economic conditions, with responsibility shared among both traditional and newly wealthy donors.

Among the specific proposals put forward were the creation in the IMF of a new development security facility to stabilize overall export earnings, the establishment of consumer-producer forums for key commodities, the contribution of \$200 million by the United States to help launch the International Fund for Agricultural Development, the expansion of the IFC's capital from \$100 million to at least \$400 million, and the creation of a number of new international institutions to foster cooperation in the fields of industrialization, energy, and technology. (See Appendix I, p. 363, for full text of address.)

After two weeks of negotiations, a comprehensive omnibus resolution, "Development and International Economic Cooperation," was adopted by consensus on September 16. It contained many specific recommendations,

including over two dozen of Secretary Kissinger's proposals and policy recommendations, within the broad areas of international trade; transfer of real resources for financing the development of developing countries; international monetary affairs; science and technology; industrialization; food and agriculture; cooperation among developing countries; and restructuring of the economic and social sectors of the UN system in order to make it more effective in dealing with international economic cooperation and development. In the latter connection, the resolution established an ad hoc committee of the whole to prepare detailed action proposals and to report through ECOSOC to the General Assembly at its 31st session.

The United States joined in most of the specific undertakings of the resolution and warmly associated itself with the resolution as a whole, although it expressed reservations or clarifications regarding a small number of the proposals, as did most of the other industrialized countries. The United States maintained its position on the resolutions of the sixth special session and on certain provisions of the Charter of Economic Rights and Duties of States and on the Lima Declaration adopted by UNIDO. It rejected the concepts of setting world prices, manipulating the terms of trade, and indexing commodity prices so that they would rise automatically as the prices of some industrial goods rose. The United States supported the objective of an effective increase in official development assistance and affirmed its intention to increase the level of its own assistance. However, it did not consider that the establishment of specific targets was likely to achieve the intended result.

In a closing statement before the plenary Assembly, Ambassador Moynihan declared:

"Perhaps never before in the history of the United Nations has there been so intensive and so genuine a negotiation between so many nations on so profoundly important a range of issues. We have shown that we can negotiate in good faith and, doing so, reach genuine accord. Not least we have shown that this can be done in the unique and indispensable setting of the United Nations."

A group of congressional advisers participated fully in early U.S. preparations for the seventh special session, in the formulation of the proposals that Secretary Kissinger outlined in his September 1 speech, and in the subsequent negotiations. In their October 9 report to the Congress the congressional advisers stated: "The consensus resolution of the seventh special session of the United Nations, entitled 'Development and International Economic Cooperation,' marks a significant



turning point in U.S. relations with the developing countries and sets the stage for a new era of economic partnership between rich and poor nations."

In a statement before the 30th General Assembly on September 22, Secretary Kissinger said:

"The special session gives us ground for hope that--at least for the immediate future--a choice has been made to turn away from confrontation toward cooperation. The United States is proud to support the final document which is the product of arduous effort and dedication of so many in this chamber.

"The United States considers the achievements of the special session a beginning, not an end. As recommended by the final report, we must now move forward in available forums to give reality and content to the objectives on which we have agreed. In the difficult negotiations ahead, my government will participate energetically in a cooperative and conciliatory spirit."

#### Follow-Up Action

Follow-up action to the work of the special session began almost immediately. The Department of State established a special committee to monitor progress in various international forums on recommendations in the Secretary's September 1 address, and many concerned and interested UN organizations began work on appropriate portions of the consensus resolution.

The 30th regular session of the General Assembly added to its agenda a new item on implementation of the decisions adopted by the Assembly at its seventh special session. The Second Committee considered various aspects of the subject intermittently throughout the session. Five resolutions were adopted.

On November 7, Pakistan introduced a resolution, sponsored by 20 states, that reiterated the need for substantial increase in the transfer of concessional financial resources to developing countries and urged both traditional donors and other countries in a position to do so to support the fifth replenishment of IDA. The resolution was approved without vote the same day and adopted by the Assembly without a vote on November 13. (See also p. 223.)

On November 26, Afghanistan introduced on behalf of 24 developing countries a draft resolution deciding to establish immediately a special fund for the land-locked developing countries to compensate for their additional transport and transit costs, and requesting

the Secretary General to submit at the 31st General Assembly his proposals on the organizational arrangements for the fund. The resolution was approved on November 28 by a vote of 91 to 0, with 21 abstentions (U.S.), and adopted on December 15 by a vote of 103 to 0, with 22 abstentions (U.S.). Although the United States agreed that increased emphasis should be placed on improving transit facilities in the landlocked and the corridor countries, it did not agree with establishing a special fund since the objective could be attained through the normal activities of the UNDP, IDA, and other existing bodies. The United States abstained because it did not object if others wished to establish and contribute to the proposed fund.

On December 2, Peru introduced a draft resolution on the integration of women in the development process, which was sponsored in its final form by 29 states. The resolution recognized that the World Conference of the International Women's Year (see p. 217) had established that improvement of the status of women was a basic element in any development process; urged all states to ensure the participation of women on an equal basis with men; invited the relevant organizations in the UN system to pay special attention to development programs relating to women; and asked the Secretary General to report to the 31st General Assembly on the extent to which women participate in fields such as agriculture, industry, trade, and science and technology, with a view to making recommendations on ways and means of improving the participation of women therein. The resolution was adopted without vote by the Committee on December 3 and by the plenary Assembly on December 15.

On December 4 the Committee approved without vote a resolution sponsored by the group of developing countries that urged all states to implement promptly the policy measures adopted by the seventh special session, requested all organizations of the UN system to assign the highest priority to the implementation of the measures set out in the September 16 resolution and to submit progress reports to the Assembly through ECOSOC, and decided to assess the implementation of the resolution at the 31st session of the General Assembly. The Assembly adopted the resolution in plenary session on December 15, without a vote.

Finally, the Committee on December 5 and the Assembly on December 15 adopted without vote a resolution on institutional arrangements in the field of the transfer of technology, which was sponsored by 18 developing countries. The resolution reaffirmed the importance to developing countries of wider dissemination of scientific and technological information, requested UNIDO to establish an industrial technological information bank, and requested other organizations in the UN system to undertake feasibility studies on the



establishment of sectoral and regional technological information banks and other viable information systems and to report through ECOSOC to the General Assembly.

### ECONOMIC COMMISSION FOR EUROPE

ECE was established in 1947 and is one of five regional economic commissions reporting to ECOSOC. It has 34 members--the European members of the United Nations plus the United States, Switzerland, and Canada. Other countries that are UN members also participate in its work when matters of particular concern to them are considered; e.g., Japan participates in meetings concerned with transport, steel, and trade, while Israel participates in meetings dealing with agriculture. As a UN organization composed largely of developed industrial nations, ECE concentrates on seeking solutions to common problems that confront modern industrial societies both in Europe and other parts of the world. The organization normally does not take votes, but acts through consensus developed by the Eastern and Western caucuses.

ECE carries out its activities through 15 principal committees (Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building, and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology) and many subsidiary bodies which deal with specialized aspects of the programs of the principal committees. Still other parts of the Commission's work program are dealt with by special groups working on such matters as automation and standardization.

ECE also convenes symposia, seminars, and conferences on topics of special interest to member governments and publishes the results for use by governments and by private specialists. A notable example during 1975 was a seminar on Desulphurization of Fuels and Combustion Gases, held in Washington, D.C., November 11-17. The seminar was sponsored by the Senior Advisers on Environmental Problems and the U.S. Environmental Protection Agency served as host.

The ECE Secretariat is headed by an Executive Secretary, Janez Stanovnik (Yugoslavia), and includes a number of outstanding experts who prepare and service the meetings of the Commission and its subsidiary bodies. The Secretariat also prepares many surveys, studies, and statistical compilations which are distributed to governments for their use.

ECE's terms of reference are broad and have been adapted to the changing character of its work. Its

principal task when it was established was to facilitate the postwar economic reconstruction of Europe. Recently ECE has been giving attention to problems and opportunities arising from increasing affluence and growing interchange among nations. This work has included environmental problems, container transport, simplification of international trade procedures, East-West trade, and standardization.

Over the years ECE has evolved into a forum where East and West can consult on common economic problems and develop conventions on nonpolitical subjects of mutual interest. It provides a unique forum for expanding East-West exchange in commercial, economic, technical, and scientific fields.

ECE's activities received a new focus in 1975 as the result of the Conference on Security and Cooperation in Europe (CSCE).<sup>1/</sup> The CSCE Final Act, signed in Helsinki on August 1, 1975, identified ECE as one of the major forums through which the participating states would continue the multilateral process initiated by the CSCE. Specific tasks referred to ECE in the Final Act included (1) a study of the possibilities for creating a multilateral system of notification of changes in laws and regulations concerning foreign trade; (2) encouragement of international cooperation in the field of trade promotion, including marketing; (3) encouragement of international work on the harmonization of statistical nomenclatures; (4) improvement of the provision of information on general conditions for industrial cooperation and guidance on the preparation of contracts in this field; (5) development and expansion of cooperation in the field of environment; (6) a study of the procedures and experience of governments in developing capabilities for predicting environmental consequences of economic activities and technological development; (7) intensification of the work of the ECE Inland Transport Committee with a view to improving international transportation links; (8) continued work on eliminating disparities arising from national legal provisions applied to traffic on inland waterways which are subject to international conventions; (9) a study of possibilities for expanding multilateral scientific and technological cooperation, taking into account

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<sup>1/</sup> The Conference on Security and Cooperation in Europe opened at Helsinki July 3-7, 1973; continued at Geneva Sept. 18, 1973-July 21, 1975; and concluded at Helsinki on Aug. 1, 1975. The Final Act was signed by representatives of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Federal Republic of Germany, Greece, Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, U.S.S.R., United Kingdom, United States, and Yugoslavia.



models for projects and research used in various international organizations; and (10) fostering scientific and technological cooperation by sponsoring conferences, symposia, and study and working groups such as those which would bring younger scientists and technologists together with eminent specialists in their fields.

#### ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

Established in 1947, ESCAP today has 31 members, of which five (France, Netherlands, U.S.S.R., United Kingdom, United States) are from outside the region. The regional members are in the vast geographic area from Iran in the west to the island countries of the Pacific in the east, and from Mongolia south to New Zealand. There are also eight associate members, including the Trust Territory of the Pacific Islands. ESCAP's headquarters are in Bangkok, Thailand, although some subsidiary organizations and activities are in other Asian cities.

The Commission held its 31st plenary session at New Delhi, India from February 26 to March 7, 1975. The major substantive business of the session was the negotiation and adoption by consensus of a resolution titled "New Delhi Declaration: Regional Contribution to the Establishment of a New International Economic Order." The Declaration is composed of a series of admonitions directed at developed and developing member countries on what they should do to improve the quality of life and living conditions of the common people. The Declaration urges member states to (1) rededicate themselves to the achievement of the objectives of the Second UN Development Decade, (2) increase food production, (3) accelerate social service programs, (4) resolve balance of payments difficulties, (5) utilize domestic technology, (6) cooperate in solving commodity problems, (7) explore cooperation in shipping, and (8) implement work programs in priority areas. It calls on the countries of the region to approach their problems in a spirit of understanding and cooperation to improve the quality of life through growth with justice.

In addition to the New Delhi Declaration, the Commission adopted resolutions establishing a center for agricultural machinery in Manila; approving a regional plan of action to enhance the role of women in development, with a center to be located in Iran; providing for a new governing structure of ESCAP regional training institutions; and proposing the creation of a regional center for transfer of technology to be located in New Delhi. The question of creating a shipping committee within ESCAP was discussed at length, but decision on the matter was deferred until the next plenary session.

For the first time in several years, landlocked countries in ESCAP were insistent and vocal in seeking regional solutions to their transit problems.

Much of the Commission's work continued to be done throughout the year in specialized committees and other subbodies. Participation in some of the groups was restricted to regional members. However, the United States took part in committee meetings having to do with social development; offshore minerals prospecting; agriculture; industry, housing, and technology; energy; trade; transport and communications; and typhoons.

#### ECONOMIC COMMISSION FOR LATIN AMERICA

Established in 1948 as a center for planning and programs related to the economic development of Latin America, ECLA is composed of 28 Western Hemisphere members, 3 nonregional members (France, Netherlands, and United Kingdom), and 2 associate members (West Indies Associated States and Belize). In addition to its headquarters in Santiago, ECLA maintains small branch offices in six Latin American cities and in Washington.

The Commission held its 16th plenary session at Chaguaramas, a conference site near Port-of-Spain, Trinidad and Tobago, May 6-14, 1975. U.S. participation throughout the session was affected by the controversy over Latin American attempts to exclude developed-country members of ECLA from working-level deliberations. This controversy had begun in the early 1970's and has continued in various ECLA meetings since. It was a major issue in 1971 at the 14th plenary session when, over U.S. objections, the Commission created a "Committee of High-Level Government Experts" composed only of the developing country members to deal with the question of review and appraisal of progress under the International Development Strategy for the Second UN Development Decade. Consideration of the second regional appraisal, prepared by that Committee, was the major substantive business of the 16th plenary session. The United States again expressed its regret that it had not been included in the preparatory deliberations. By a vote of 22 to 1 (U.S.), with no abstentions, the Commission adopted a comprehensive three-part resolution entitled "Chaguaramas Appraisal." While endorsing Part I, "The Appraisal," the United States and some other developed country delegations expressed serious reservations concerning certain aspects of Part II, "Plan of Action," and of Part III, "Work Program of the ECLA Secretariat and of the Committee of High-Level Government Experts."

The subject of exclusion became more intense in 1975 as the result of the desire of some ECLA members to create standing committees in the fields of population, science and technology, and industry that would be



restricted to the Latin American members. Several attempts were made to negotiate compromise formulas that would enable the Latin Americans to caucus separately on issues of interest only to them, while preserving the right of the developed countries to participate on any ECLA committee in which they had an interest. These efforts failed due to the insistence of certain Latin American states to exclude completely the developed countries from the proposed committees. The Commission ultimately adopted two resolutions on the issue. The United States supported one that called on the Executive Secretary to study ECLA's procedures and mechanisms and to report his findings and recommendations for improvement to the Committee of the Whole in 1976. The United States opposed the other one which, as an interim measure, gave the responsibility for population, industry, and science and technology to the Committee of High-Level Government Experts--a committee from which the United States was excluded.

The Commission adopted a number of other resolutions on various economic matters. The United States supported an important resolution calling for a study of Latin American balance of payments problems and possible solutions to them, such as the establishment of a new regional financial "safety net" for Latin America, and others concerning the activities of the UN University in respect to the application of science and technology to development, the future activities of the Latin American Institute for Economic and Social Planning, technical cooperation among developing countries, and ECLA's program of work and order of priorities for 1975-77.

The United States opposed on substantive grounds several other resolutions that called for surveillance of transnational corporations, organization of producers associations, a study of the effects of monetary instability and inflation in developed countries on the economies of Latin American countries, and establishment of a new committee on development and cooperation limited in membership to independent countries of the Caribbean area.

Following the 16th plenary session, the Executive Secretary of ECLA held consultations with Department of State officials for the purpose of finding procedures that would remove or minimize the problem which had arisen for the United States and other developed country members as a result of their exclusion from some working-level deliberations. In doing so, he was responding to the resolution instructing him to study ECLA's procedures and mechanisms and make recommendations for improvement to the Committee of the Whole. He also consulted with Department of State, Department of the Treasury, and Federal Reserve Board officials with respect to the resolution that called for a study of a new regional financial safety net for Latin America.

## ECONOMIC COMMISSION FOR AFRICA

ECA was established by ECOSOC in 1958. Full membership is limited to independent African countries; the United Kingdom, France, and Spain are associate members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA headquarters in Addis Ababa, attending a number of its meetings as an observer, and providing technical and economic assistance.

ECA is charged with (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies of economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

During 1975 the United States sent an observer delegation, headed by Deputy Assistant Secretary for African Affairs Charles James, to the third meeting of the ECA Conference of Ministers, held in Nairobi, Kenya, February 24-28. Also during 1975, a new Executive Secretary, Dr. Adebayo Adedeji, replaced Dr. Robert K. A. Gardiner, who had held the post of ECA Executive Secretary for more than a decade. Dr. Adedeji, formerly Federal Commissioner for Economic Development and Reconstruction in the Nigerian Government, assumed his new post on June 1.

The United States continued to provide bilateral assistance to the ECA in 1975 by financing (1) provision of U.S. experts to assist ECA in trade promotion, livestock development, and agricultural economics programs; (2) the training of African officials in the United States; and (3) ECA meetings of voluntary agencies working in Africa. In addition, the United States provided funds for ECA activities promoting the creation of women's bureaus in African countries, for publication of an ECA newsletter on women's activities, and for the launching of a Pan-African Women's Center. At the end of the year, in view of the leadership change in ECA, it was agreed that a joint AID/ECA team would undertake to review existing and proposed U.S. AID assistance to ECA.

## ECONOMIC COMMISSION FOR WESTERN ASIA

ECWA came into existence on January 1, 1974. The August 1973 ECOSOC resolution that approved its establishment provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on the services of the United Nations Economic and Social Office in Beirut."



That wording limited the membership to 12 Arab states<sup>2/</sup> and effectively excluded Israel, even though it is a UN member of the region involved, because it had not used the UN office in Beirut. The United States considered that this was contrary to the terms of and practice under the UN Charter, but its motion to refer the issue to the International Court of Justice for an advisory opinion had been defeated.

ECWA held its second plenary session May 5-10, 1975, in Beirut, the Commission's provisional headquarters location. At ECWA's invitation the United States sent an observer to the meeting. The agenda included items on the application of the PLO to participate as an observer in the plenary session, the review of the economic and social situation in the region, the work of the Commission, and the permanent site of ECWA's headquarters. With respect to the latter point, the Commission took note of either firm or tentative offers from Syria, Iraq, and Lebanon, and urged member states interested in serving as host to submit proposals as soon as possible so that a decision could be taken at the 1976 session of the Commission.

ECWA adopted 14 resolutions dealing with various aspects of its work and with its relations with other organizations in the region and the UNDP. Of particular interest were resolutions (1) urging intensified activity in the integration of women in development, (2) supporting the inclusion of Yemen (Aden) as well as Yemen (Sana) on the revised list of least developed among the developing countries,<sup>3/</sup> and (3) granting the PLO permanent observer status and access to the Commission's services, and requesting that a report be prepared by the Executive Secretary for ECWA's next session on the requirements for a study of the economic and social situation and potential of the Palestinian Arab people.

ECWA participated with ESCAP in a June preparatory conference for the Habitat Conference (see p. 184) but its regular on-going activities were severely hampered and ultimately cut off entirely by the civil disturbances and guerrilla war in Lebanon during the last half of 1975.

#### UNITED NATIONS DEVELOPMENT PROGRAM

The UNDP is a voluntary fund which finances the world's largest multilateral program of grant technical

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<sup>2/</sup> Bahrain, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), Yemen (Sana).

<sup>3/</sup> See footnote, p. 151.

assistance. Established in 1966 through the merger of two earlier programs, the UN Special Fund and the Expanded Program of Technical Assistance, the UNDP is the hub for all technical assistance activities in the UN system and disburses over two-thirds of the technical assistance funds expended by the system of UN agencies involved in such activities. The UNDP responds to requests from developing countries for technical assistance and for preinvestment studies leading to formulation of sound capital projects which can then be financed by either public or private investment capital. Although all states that are members of the United Nations, the specialized agencies, or the IAEA are, in principle, eligible for assistance, UNDP assistance is largely limited to developing countries with an increasing emphasis on the poorest. In 1975 UNDP projects were underway in some 147 countries and territories.

Projects of a few months to several years in duration in such fields as agriculture, industry, education, health, economic policy and planning, transportation, and natural resource exploration comprise the major part of the UNDP program. In addition, the UNDP undertakes smaller projects designed either to train nationals by means of fellowships or to provide countries with required expertise through the use of advisers. Both types of projects are normally executed for the UNDP by one of the other organizations of the UN system, such as FAO and UNESCO. The UNDP also directly undertakes a limited number of regional, interregional, and global projects.

The UNDP has its headquarters in New York. Bradford Morse became the third consecutive American Administrator of UNDP in January 1976. He had been Under Secretary General of the United Nations since 1972 and, previous to that, a member of Congress from Massachusetts.

### Governing and Advisory Bodies

The UNDP's operating policies are established and its programs and budgets approved by a Governing Council that meets twice a year. The UNDP is a subsidiary organ of the UN General Assembly, administered under the authority of ECOSOC and the General Assembly. The Governing Council reports through ECOSOC to the Assembly, which sets overall UNDP policy.

As provided in various decisions of the General Assembly, the Governing Council also has become the governing body for the UN Fund for Population Activities, the UN Capital Development Fund, the UN Volunteers, and the recently established UN Revolving Fund for Natural Resources Exploration, as well as for the small program of technical assistance financed from the regular UN budget. The Assembly decided in 1971 that



the Governing Council would be composed of representatives from 48 states--21 developed and 27 developing. Members are elected by ECOSOC for 3-year terms and are eligible for reelection. The United States has been a member of the Governing Council since the UNDP's establishment.

An Inter-Agency Consultative Board (IACB) facilitates improved working relations between the UNDP and its executing agencies. The IACB is composed of the UN Secretary General and the executive heads of the specialized agencies, IAEA, UNCTAD, and UNIDO. The IACB advises the Administrator on major issues pertaining to interpretation and implementation of policy, plus program direction. It also assists in bringing about maximum coordination and integration of all UNDP-related activities of the UN system.

### Secretariat and Field Organization

The UNDP consists of a Secretariat in New York, headed by the Administrator, and 108 field offices located in developing countries where programs are being carried out. At the end of 1975 UNDP staff consisted of 643 professional employees, of whom 263 were located at headquarters in New York and 380 were in field posts. There were also, during 1975, about 10,700 experts assigned to some 8,000 UNDP-funded projects in the employ of about 18 executing agencies and the UNDP itself. Overall accountability for the UNDP program rests with the Administrator, his support staff, and the Directors of UNDP's four regional bureaus--all of whom are located at UNDP headquarters in New York. However, over the course of the past 2 years there has been a steady move to decentralize certain elements of project monitoring and other implementation-related actions and delegations to the 108 UNDP Resident Representatives in the field.

The Resident Representatives advise their host governments on development planning and UN assistance and coordinate within their countries of assignment the operation of programs that are financed by the UNDP or the Fund for Population Activities. Designated by the General Assembly in 1970 as the overall leaders of the UN technical assistance teams in their respective countries of assignment, many of the Resident Representatives include on their immediate staffs representatives of the FAO and UNIDO in the roles of senior agricultural and industrial advisers, as well as representatives of the UN Fund for Population Activities, World Food Program, and other UN Agencies.

## Financing

The financial resources of the UNDP come principally from voluntary contributions pledged by governments. For 1975, 129 governments pledged \$406 million to which the assisted governments added local-cost counterpart contributions to each project totalling, on the average, more than one-half of total project costs, thus bringing the overall 1975 UNDP-administered program to approximately \$1 billion. Since 1970, when the U.S. contribution of \$86.3 million represented 38% of total voluntary contributions to the UNDP, other donors have increased their pledges by over 130% to a total of \$328 million in 1975. The U.S. contribution at the same time declined in 1974 and 1975 from the 1970-73 high. Its contribution of \$77.9 million in 1975 represented 19% of total voluntary contributions.

Toward the end of 1975 the UNDP became aware of a shortfall in its liquid resources. The main causes of this major financial problem were a rapid upturn in project approvals in 1974 and 1975 leading to a greatly accelerated implementing rate in 1975, increased costs of experts, high inflation rates in all parts of the world, a slow financial reporting system, and a largely nonliquid reserve fund containing a large number of inconvertible currencies (mostly Soviet and Eastern European contributions) which have been difficult to utilize.

Austerity measures were promptly instituted affecting both ongoing and new projects. The Administrator proposed a cutback of \$40 million in program spending for 1976 with further cuts likely unless there were additional voluntary contributions. He also began a phased reduction of Headquarters staff commensurate with the degree of decentralization and a stringent economy drive to reduce overheads further. Improved financial forecasting and more rapid reporting procedures were being instituted to keep pace with the high rate of implementation and inflation, and the Administrator led a major effort to mobilize additional resources worldwide.

## Development Assistance

During 1975, the UNDP had underway more than 8,000 projects, of which some 1,000 were large-scale, long-term projects costing over their project life an average of more than \$2 million each. Actual field program costs during 1975 totalled about \$434 million, while UNDP administrative and program support costs totalled \$42.5 million and agency overhead costs totalled an additional \$57.7 million.

While the majority of UNDP projects relate to a single country, of the 8,021 projects approved (and not



yet completed) as of June 30, 1975, 658 were regional, 145 were interregional, and 17 were large research projects with global implications. Of the country and regional projects, 2,169 were in Africa; 2,090 in Asia and the Pacific; 1,919 in Europe, the Mediterranean area, and the Middle East; and 1,681 in Latin America. Major sectors of concentration were agriculture, forestry, and fisheries (1,513 projects); industry (1,863); general economic and social policy and planning (986); transport and communications (719); education (595); science and technology (547); health (537); labor, management, and employment (321); social services (261); and natural resources (267).

### New Program Directions

The first programming cycle (1972-76) will be completed at the end of 1976 with an anticipated UNDP expenditure over the 5-year period of about \$1.75 billion on country programs. In preparation for the second programming cycle (1977-81), the Governing Council approved new guidelines for the allocation of the expanded UNDP resources projected for those years. These guidelines provide a significant monetary and percentage increase in resources for the lower income countries. Of the \$2 billion allocated under the country Indicative Planning Figures (IPF's) for the second cycle, about 60% will go to countries with a GNP below \$250 per capita annually, compared with 43% during the first cycle. About 80% of the projected amounts to be allotted would go to countries with a per capita GNP below \$500. In contrast, countries with a per capita GNP above \$700 will receive no monetary increase in IPF allocation above that provided in the current cycle. It is further anticipated that a greatly increased number of the wealthier developing countries will become "net contributors," with their voluntary contributions to the UNDP exceeding the program funds they receive from it.

Planning and implementing of UNDP projects at the country level are a joint cooperative endeavor by the government, by the UNDP--through the Resident Representative--and by the executing agency--usually one of the UN specialized agencies. The growing decentralization in the UNDP means that many of the basic decisions (including approval of smaller projects) are made at the country level. In this way the delivery of the program is being speeded up, the program is becoming far more responsive to the expressed needs of each country, and the program is thus generally better related to national development plans.

In a further effort to make UNDP more responsive and at the same time increase the self-reliance of the developing countries, the so-called "new dimensions decision" was taken by the Governing Council in June

1975. This provided that greater programming emphasis will be placed on the results to be achieved by projects and less on the means of achieving them, such as reliance on experts from developed countries. This is intended to provide a better use of local expertise and institutions and a more effective transfer of appropriate technologies both to and among the developing countries. In this connection, the UNDP continued in 1975 to give increased attention to "technical cooperation among developing countries," establishing a special unit for this purpose and beginning the organization of a series of regional meetings and a worldwide conference to foster this activity.

On the recommendation of its Second Committee, the 30th General Assembly without vote adopted two resolutions directly related to the technical cooperation work of the UNDP. The first, adopted on November 28, endorsed the UNDP Governing Council's decision on new dimensions in technical cooperation and stressed the importance of applying the general guidelines in that decision for the future orientation of the Program.

The second resolution, adopted on December 11, stressed the importance of technical cooperation activities among developing countries and, inter alia, requested the UNDP Administrator to integrate such activities into the regular framework of the UNDP through the work of the Special Unit for Technical Cooperation among Developing Countries.

#### UN Regular Program

Provision is made annually in the UN regular (or assessed) budget for a small program known as the "Regular Program of Technical Assistance." Its obligations in 1975 amounted to \$9.7 million. The program is operated under a series of General Assembly resolutions relating to economic development, industrial development, social welfare, public administration, human rights, narcotics, regional and subregional advisory services, and education programs for southern Africa. The UNDP Governing Council provides general policy guidance for the Program.

The major program areas covered by the 1975 obligations were natural resources and transport (\$2.5 million), industrial development (\$2 million), development planning (\$1.6 million), social development (\$1.4 million), and public administration (\$1.2 million). The program activities were carried out largely in the least developed countries, with Africa receiving almost half of the total and interregional projects accounting for almost 25% of the obligations.



Although sympathetic with the effort to use the Regular Program to provide additional assistance to the least developed countries, the United States has continued to advocate that all technical assistance for development be eliminated from the UN assessed budget and be funded by voluntary contributions through the UNDP and other UN programs. This would restrict the Regular Program to those few areas, such as human rights, for which there are no other sources of funds.

### UN Volunteers

A corps of UN Volunteers (UNV) was established by the 25th General Assembly, to begin operations as of January 1, 1971. Responsibility for UNV was vested in the UNDP Administrator, who exercises this function through a Coordinator. The present UNV Coordinator is John Gordon, formerly head of the Canadian University Service Overseas. His headquarters are in Geneva.

UN Volunteers work on a wide range of development projects funded by the UNDP. Primarily operating in the rural sector, there were 274 Volunteers (including 30 Americans) serving by the end of 1975 in 48 countries, over half of which were in the least developed category. Approximately half of the Volunteers were themselves from developing countries.

Coordinator Gordon presented at the 20th session of the UNDP Governing Council in June 1975 a program designed to further the basic UNV objective, the achievement of a meaningful involvement of young people in economic development activities. To this end a number of projects have been initiated involving UN Volunteers in the Middle East, Latin America, Africa, and East Asia. Particularly noteworthy was the "sand dune fixation project" in Iran. This project, which involves many of the 36 Volunteers assigned to that country, combines irrigation activity and the planting of vegetation to inhibit desertification. Other substantial Volunteer activity is to be found in Lesotho and in Yemen.

The Coordinator noted that the assumption of direct recruitment by UNV in mid-1974 had resulted in doubling the rate of recruitment and placement. However, limited financial resources would prevent achievement of the goal of having 500 Volunteers in the field by mid-1976. Accordingly, the Coordinator urged increased contributions by member states to the Special Voluntary Fund and a broadening of its use to cover all Volunteer expenses. This Fund had been established by the 25th General Assembly, which invited governments, nongovernmental organizations, and private

individuals to make contributions. The United States did not contribute to the Fund in 1974 or 1975, but its contributions through 1973 totaled \$400,000.

### Capital Development Fund

The General Assembly established the UN Capital Development Fund in 1966 despite lack of support from the United States and most other developed countries. Most donor countries have not been convinced of the need for another institution to provide capital development aid through concessional loans and grants. In 1967 the General Assembly placed the Fund under the management of the Administrator and the Governing Council of the UNDP, because pledges to the Fund were not sufficient to make a separate administration economical.

Contributions in the early years were very limited and the Fund's activities were consequently constrained. Since 1973, the Fund has been oriented so that its resources are concentrated on projects designed to benefit primarily the least developed countries. Emphasis is placed on assistance in the fields of small-scale industry and integrated rural development. The Fund finances projects that involve relatively greater risks than other agencies might be willing to assume, and most assistance is on a grant basis.

The UNDP Administrator has placed the Fund under the direction of an Executive Secretary who has fairly rapidly moved to energize its activities. By the end of 1975 total project commitments reached \$15 million. The Fund's commitments in 1974 and 1975 went entirely to the least developed countries, with approximately two-thirds going to the countries of the drought-stricken Sudano-Sahelian zone of Africa. The Fund adopted an innovative approach by supplying rather small amounts of capital for projects to build local institutions, often in cooperation with other donors, including U.S. AID and the Peace Corps. Providing seed money for small loan funds for low-cost housing, small-scale industry, and agricultural programs is a major emphasis.

By the end of 1975, 59 countries had pledged a total of \$27.1 million to the Fund. This was increased shortly after the end of the year by a \$3.4 million contribution from Sweden. Other major donors have been Denmark, Netherlands, and Norway from the industrialized countries, and Egypt, India, Pakistan, and Yugoslavia from the developing countries.



## UN INDUSTRIAL DEVELOPMENT ORGANIZATION

The General Assembly on November 17, 1966, adopted a resolution establishing UNIDO as an autonomous organization within the United Nations to promote and accelerate the industrialization of the developing countries. Membership in UNIDO is open to all members of the United Nations, the specialized agencies, and the IAEA; the United States has been a member since the beginning. UNIDO has its headquarters in Vienna.

A 45-state Industrial Development Board (IDB),<sup>4/</sup> elected by the General Assembly, is UNIDO's policy-formulating body. It meets annually to review past activities and approve future programs, and its subsidiary body, the Permanent Committee (a committee of the whole) meets twice a year between sessions of the IDB.

The headquarters and field staff of UNIDO--authorized at 1,041 for the 1974-75 biennium--directly promotes industrial development by making available internationally recruited experts, by training developing country personnel, by establishing pilot institutions, and by making preinvestment surveys. Supporting activities of the headquarters staff include research and publication on technologies in specific industrial sectors, such as metallurgy and fertilizer, and on industrial functions, such as financing and management. UNIDO also provides several information clearinghouse services and organizes expert symposia and promotional conferences to stimulate contacts between businessmen, consultants, and government officials from countries at all levels of industrialization. UNIDO does not provide capital assistance.

### Program Activities

The value of technical assistance projects delivered by UNIDO in 1975 grew significantly over 1974 from approximately \$24.1 million to \$33.5 million, a jump of 39%. Financing was provided from a variety of sources, mostly voluntary. As in the past, most (73%) of the field projects executed by UNIDO were funded by the UNDP, as part of the latter's overall country programs. Special Industrial Services--i.e., short-term,

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<sup>4/</sup> Members in 1975 were Algeria, Argentina, Austria, Belgium, Brazil, China, Cuba, Czechoslovakia, Finland, France, Gabon, Federal Republic of Germany, Greece, India, Indonesia, Iran, Italy, Ivory Coast, Jamaica, Japan, Kuwait, Liberia, Malagasy Republic, Malaysia, Mexico, Netherlands, Nigeria, Norway, Peru, Philippines, Poland, Romania, Rwanda, Spain, Sri Lanka, Sweden, Switzerland, Tanzania, Tunisia, U.S.S.R., United Kingdom, United States, Uruguay, Venezuela, and Zambia.

trouble-shooting aid to solve urgent technical problems--financed by the UNDP program reserve fund, accounted for some 11% of the UNIDO program. Some 60 countries--led by the U.S.S.R. and Italy--made voluntary contributions to the UNIDO General Trust Fund (6%), while Switzerland, the Federal Republic of Germany, and the People's Republic of China made large contributions to pay for specific projects that they sponsored jointly with UNIDO (4%). Only 6% of UNIDO technical assistance in 1975 was financed from the Regular Program of Technical Assistance, a part of the UN assessed budget.

A high concentration of UNIDO's projects in 1975 were in the field of industrial technology, which included assistance for engineering, metallurgical, chemical, pharmaceutical, and paper industries. In the area of industrial services, most assistance was for projects in industrial institutions and quality control systems; and in the area of industrial programming, a number of projects were for surveys and studies.

UNIDO's administrative and research activities are funded from the UN regular budget, in 1975 at a level of \$19.8 million.

The United States supported UNIDO financially in 1975 through its annual voluntary contribution to the UNDP and through its assessed contribution to the UN regular budget. Furthermore, as in the past, a number of UNIDO-sponsored training projects were carried out in the United States.

### Second General Conference

UNIDO held its Second General Conference in Lima, Peru, March 12-27, 1975; 114 states took part. The principal result was the adoption of the Lima Declaration and Plan of Action on Industrial Development and Cooperation. The first 57 articles comprise the Declaration, and articles 58 through 76 comprise the Plan of Action. The Plan is divided into six principal sections: (1) measures of national scope; (2) cooperation among developing countries; (3) cooperation between developing and developed countries; (4) the least developed, landlocked, and island developing countries; (5) institutional arrangements; and (6) the Charter of Economic Rights and Duties of States.

A major goal set out in the Declaration was to increase the developing countries' share of world industrial production from its present 7% to at least 25% by the year 2000. The new institutional arrangements advocated by the Plan of Action included (1) reorganization of the UNIDO Secretariat; (2) conversion of UNIDO into a specialized agency; (3) pending such



conversion, an increase in UNIDO's autonomy within the UN system; (4) systematized consultations at global, regional, and sectoral levels to "redeploy" certain productive capacities now in developed countries and to create new industrial facilities in developing countries; and (5) establishment of an industrial development fund to increase the resources of UNIDO and enhance its autonomy and ability to meet the needs of the developing countries.

The Declaration and Plan of Action was adopted at the close of an all-night session by a rollcall vote of 82 to 1 (U.S.), with 7 abstentions (Belgium, Canada, Federal Republic of Germany, Israel, Italy, Japan, United Kingdom). Prior to that vote the United States and some other developed countries had called for separate votes on a total of 10 paragraphs or subparagraphs concerned with the questions of indexation, sovereignty over natural resources, colonialism, producers' associations, synthetics, and calls to implement pertinent provisions of the "New International Economic Order" and the "Charter of Economic Rights and Duties of States." An average of 16 states opposed or abstained on the various provisions on which separate votes were taken. In addition, the United States entered reservations on about a fourth of the other paragraphs and subparagraphs.

The failure to reach consensus at Lima had been expected. One reason for this was that the developing countries had been unwilling to negotiate and narrow differences in advance at the December and January meetings of the Permanent Committee called specifically to prepare for UNIDO II. The industrialized countries had submitted a draft in December, but the developing countries circulated their draft only unofficially and with the explicit stipulation that it not be subject to discussion. They subsequently met in Algiers in February 1975 to complete the text that in slightly modified form emerged from Lima.

Another reason for the failure to reach consensus was that the developing countries, instead of limiting their draft to issues directly related to industrial development, insisted on covering the whole gamut of international economic issues, often in the same terms that the developed countries had opposed during the sixth special and 29th regular sessions of the General Assembly in 1974.

In addition to the Declaration and Plan of Action, the Lima Conference also adopted without vote several resolutions concerning specific aspects of industrialization--such as the problems of the least developed, landlocked, and island developing countries; the selection of appropriate industrial technology; and the human aspects of industrial development--and referred other proposals to the IDB for further study.

### Follow-Up Action

At its ninth session, held in Vienna from April 21 to May 2, the IDB considered and adopted by consensus an omnibus resolution on follow-up of the decisions and recommendations of the Lima Conference. The resolution (1) requested all governments to take necessary measures "to implement effectively their undertakings in terms of the Lima Declaration and Plan of Action"; (2) invited the bodies in the UN system of organizations to initiate necessary measures within their spheres of competence in order to implement the Declaration and Plan of Action; (3) requested the UNIDO Executive Director to undertake various actions to implement the Declaration and Plan of Action; (4) recommended that UNIDO's program budget and medium-term plan be modified to reflect the priorities established and additional tasks assigned by the Lima Conference; (5) requested the UN Secretary General and the UNIDO Executive Director to ascertain the views of governments on draft statutes converting UNIDO into a specialized agency so that the statutes, together with the views expressed at the 59th ECOSOC, might be submitted to the General Assembly at its seventh special session; (6) decided that the IDB would be responsible for the review and appraisal of the implementation of the Declaration and Plan of Action; (7) decided that the Permanent Committee should consider the terms of reference and rules for the functioning and administration of an industrial development fund; and (8) decided that the Permanent Committee should make a preliminary assessment of progress in implementing the Declaration and Plan of Action and report to the IDB in 1976.

The United States explained that it considered the resolution to be procedural and that paragraph (1) was without prejudice to the positions that the United States had taken in Lima on various parts of the Declaration and Plan of Action.

The IDB also adopted, by acclamation, a resolution introduced by Finland and sponsored by 15 states (including the United States) on the integration of women in development. The resolution recalled the provisions of the Lima Declaration and Plan of Action concerning the full integration of women in social and economic activities and, in particular, in the industrialization process, on the basis of equal rights; requested the Executive Director to keep the UNIDO programs and priorities under review in order to give necessary attention to the integration of women into the process of industrialization; and recommended that an equitable balance between men and women within the staff of UNIDO should be achieved by the end of the Second UN Development Decade.



The IDB departed from usual practice when, instead of "approving" the program budget and medium-term plan submitted by the UN Secretariat, it merely "noted" them and recommended that they be modified to reflect actions taken at the Lima Conference. The Secretary General, in cooperation with the UNIDO Executive Director, subsequently prepared revised estimates, but the Advisory Committee on Administrative and Budgetary Questions<sup>5/</sup> considered that the revised estimates provided insufficient information on the relationship between the resources requested and the programs stemming from the Lima Conference. The General Assembly accepted the views of the Advisory Committee and on December 17, by a recorded vote of 117 (U.S.) to 0, with 11 abstentions, adopted a resolution requesting the Secretary General to submit to the Assembly at its 31st session revised estimates, "taking fully into account all elements of the Lima Declaration and Plan of Action on Industrial Development and Cooperation and indicating clearly the resulting program requirements and the related resources."

#### Specialized Agency Status and Redeployment of Industry

The seventh special session of the General Assembly devoted one major section of the omnibus resolution it adopted on September 16 to industrialization. It endorsed the Lima Conference's recommendation that UNIDO be converted into a specialized agency and established an intergovernmental committee of the whole to draw up during 1976 a constitution that would be submitted to a conference of plenipotentiaries to be convened by the Secretary General. The United States, both at Lima and subsequently, had expressed doubts about the wisdom of transforming UNIDO into a specialized agency. However, because it was willing to keep open the possibility of an expanded role for UNIDO in a more cooperative international development environment, it decided to participate in the work of the intergovernmental committee.

The resolution adopted by the seventh special session also repeated some of the provisions of the Lima Declaration and Plan of Action and, in one of its paragraphs, gave a general endorsement of it. Therefore, Ambassador Jacob M. Myerson, in announcing U.S. association with the consensus, also reaffirmed that the United States maintained its position on the Lima Declaration and stated the U.S. limits of participation in any UNIDO system of consultations to relocate industries in developing countries as follows:

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<sup>5/</sup> See footnote, p. 343.

". . . we believe that redeployment of industries should be a matter of the evolution of economies rather than a question of international policy or negotiation. While government policy can facilitate such an evolutionary approach, we believe it must take into account the economic structures of the countries concerned as well as the economic, social, and security goals, including especially protection of workingmen's rights.

"The United States does not support those paragraphs dealing with the UNIDO system of consultations."

#### Reorganization of Secretariat

In October 1975 the Executive Director announced a new Secretariat structure designed to strengthen UNIDO's organizational structure, as called for by the Lima Conference. The reorganization was to be in full effect by January 1976. An important feature of the reorganization was the creation of an International Center for Industrial Studies as one of the major subdivisions of the Secretariat. Another feature was the consolidation into a single Industrial Operations Division, which will manage field operations, of the former Industrial Technology Division, Industrial Services and Institutions Division, and parts of the Technical Cooperation Division. Other parts of the former Technical Cooperation Division, plus conference services and external relations, were moved into a strengthened Office of the Executive Director. Finally, the Division of Policy Coordination, within the Office of the Executive Director, was enlarged by four new sections: (1) Program Development and Evaluation; (2) Least Developed Countries; (3) Negotiations; and (4) Nongovernmental Organizations and Business and Industrial Institutions Cooperation.

#### Industrial Development Fund

The question of an industrial development fund was discussed at considerable length by the Permanent Committee in December but no conclusions were reached. Meanwhile, the General Assembly on November 28 had adopted a resolution taking note of the initial action taken by the IDB concerning establishment of such a fund and requesting the IDB to report on this matter to the Assembly at its 31st session.

#### UN CONFERENCE ON TRADE AND DEVELOPMENT

UNCTAD is an organ of the General Assembly concerned with the trade and related economic problems of the developing countries. Established in 1964,



conference sessions convene every 4 years. UNCTAD III met in Santiago, Chile in 1972. UNCTAD IV was scheduled for Nairobi, Kenya in May 1976. Membership is open to any country that is a member of the United Nations, the specialized agencies, or the IAEA. At the end of 1975 UNCTAD had 153 members--the 144 members of the United Nations plus 9 other states that were members of specialized agencies.

UNCTAD has permanent machinery that functions between conference sessions. The senior body is the 68-member Trade and Development Board (TDB) which held its sixth special session in Geneva, March 10-21, 1975, to consider progress on the Second Development Decade, and its 15th regular session in Geneva, August 5-16, and September 30-October 2. Members of the TDB are elected at each conference session to serve until the next conference and are chosen on the basis of a specified number of seats for each of four groups, defined along generally geographic lines. Membership on the main committees is open to all UNCTAD members. The TDB has six main committees--Commodities, Manufactures, Invisibles and Financing Related to Trade, Shipping, Preferences, and Transfer of Technology--plus a number of other subsidiary bodies. The United States is a member of the TDB, of the six main committees, and, with a few exceptions, of the other subsidiary bodies.

### Commodities

In the "program of action on the establishment of a new international economic order," adopted at its sixth special session in 1974, the General Assembly had called for an overall integrated program covering a comprehensive range of commodities of export interest to developing countries. The TDB had subsequently requested UNCTAD's Secretary General to prepare a detailed elaboration of such an integrated program for priority consideration by the Committee on Commodities. The seventh special session of the General Assembly, in September 1975, noted specifically that "an important aim" of UNCTAD IV should be to reach decisions in the commodity field, "including decisions with respect to an integrated program and the applicability of elements thereof."

UNCTAD's 89-member Committee on Commodities considered proposals for the integrated program at meetings in February, July, and December 1975. The integrated program for commodities, as proposed by the UNCTAD secretariat, consisted of (1) a set of general objectives; (2) a list of commodities to which the objectives applied; and (3) a list of measures, or techniques, to be applied to the commodities to achieve the objectives. A key element of the integrated program would be the establishment of a common fund to finance the acquisition

of buffer stocks for designated "core" commodities. In addition, the common fund would be empowered to lend money to individual international commodity organizations, intervene directly in the market in certain cases, and finance the accumulation of stocks for approved commodities where commodity arrangements did not exist.

The UNCTAD secretariat proposed implementing the integrated program in two phases: (1) achievement of consensus among governments on the objectives, measures, and identification of the core commodities and on the procedures and timetable for negotiating the detailed arrangements; and (2) negotiation of the international arrangements for individual commodities, including those for which stocking was not envisaged. The secretariat expressed the hope that the first phase could be completed at UNCTAD IV in May 1976, and suggested that some type of central coordinating machinery be established in UNCTAD to guide the second phase of the negotiations.

Although the United States, along with other developed countries, agreed with many of the objectives of the proposed integrated program, it believed that the program was overly oriented toward price-fixing, indexation, and other forms of government intervention in the market. The United States emphasized that a thorough case-by-case analysis of the factors affecting each commodity was a prerequisite for any realistic consideration of measures to improve and strengthen the functioning of that commodity's market. In particular, the United States had reservations about the common funding element of the proposed integrated program, because buffer stocks financed by the common fund might not be necessary or desirable for all commodities, and the methods and sources of financing should therefore vary with the circumstances.

The Committee on Commodities was unable to reach a consensus on the merits of the integrated program as proposed by the secretariat and in December adopted a resolution simply noting without recommendations its belief that the stage had been reached at which decisions were possible at UNCTAD IV.

### Invisibles and Financing Related to Trade

Debt problems and the flow of financial resources to developing countries were the major topics discussed by the 87-member Committee on Invisibles and Financing Related to Trade at its session in Geneva in October-November. The Committee adopted unanimously a resolution that invited the IBRD and regional development institutions to consider establishing or expanding facilities that would provide export credit refinancing



for developing countries as a means of promoting their exports. Although it joined in the consensus on the resolution, the United States explained that it was generally opposed to programs for refinancing export credits since that would divert funds from higher priority development requirements for the countries most in need of assistance.

Several other draft resolutions were proposed but were not adopted. One, submitted by the developing countries, called for the liberalization of drawing requirements for developing countries in all IMF facilities in order to compensate them for payments deficits due to recession and inflation in the industrial countries. An alternative draft, proposed by the Western European and other developed countries, called for the liberalization of the IMF compensatory financing facility to take into account the export shortfalls of developing countries. This, however, was not acceptable to the latter, which wanted compensation for rising import bills as well as export shortfalls. The Committee compromised by instructing the UNCTAD Secretary General to consult with the IMF Managing Director on the proposals made by both groups.

In order to alleviate their debt problems, the developing countries proposed a resolution requesting delegates at UNCTAD IV to consider granting generalized relief for all official debts, and to consider establishing a multilateral financial institution to refinance the commercial debts of developing countries. This draft was unanimously opposed by all the major creditor countries who stressed the importance of a case-by-case approach to debt relief. The Committee finally decided to request the UNCTAD Secretary General to carry out intensive consultations with concerned creditor and debtor countries in an effort to facilitate decision-making in this area at UNCTAD IV.

The developing countries also submitted a resolution calling for developed countries to achieve by a certain date the target for the Second Development Decade of granting 0.7% of their GNP as official development assistance, and deciding that all measurements of financial flows should be made on a net basis (that is, subtracting interest payments and other flows from developing to developed countries). The draft resolution also requested the developed countries to improve access to their capital markets for developing countries by such means as exempting them from administrative measures governing the issuance of foreign bonds and providing government guarantees of their financial obligations. Since almost all the developed countries were unable to accept this proposal, it was decided to request the UNCTAD Group of Governmental Experts on the Concepts of the Present Aid and Flow Targets to examine recent developments in aid programs and the

compliance of these programs with UN resolutions on aid and flow targets. In addition, the Committee decided to request the UNCTAD Secretary General to prepare periodic reports on private and official financial flows to developing countries. It was agreed, however, that such reports should not duplicate the work of other international institutions in this area.

### Transfer of Technology

The United States was represented on UNCTAD's intergovernmental group of experts on a code of conduct for the transfer of technology, which met twice during 1975, in May and again in November. At the earlier meeting the developing countries introduced proposals for a detailed and legally binding code of conduct for the transfer of technology. At the later meeting, the developed countries responded with proposals for voluntary and universally applicable guidelines for the transfer of technology. At both meetings the debate revealed significant differences between the groups on such questions as (1) the legal character of the code, i.e., should it be a binding treaty or voluntary guidelines; (2) basic concept of the code, i.e., should it provide for government control and intervention or for a free market; (3) protection of industrial property; (4) restrictive business practices; (5) responsibilities of enterprises; and (6) settlement of disputes. Because of these differences, the experts could not agree on an outline for a code of conduct, although they did agree on a list of chapter headings. The group of experts submitted reports to UNCTAD's 69-member Committee on Transfer of Technology, which held its first session in November-December, 1975. The Committee decided to transmit the reports and annexes of the expert group to the TDB for consideration prior to UNCTAD IV, where decisions were expected to be made on the code, including its legal character.

The Committee also approved a resolution on the promotion of the technological capability of developing countries. Among other things, the resolution (1) requested the UNCTAD Secretary General to undertake or continue studies of policies and measures that could be taken to reduce the technological dependence of developing countries; (2) recommended the establishment within UNCTAD of an advisory service to assist, inter alia, in (a) setting up at the regional and subregional levels centers for the transfer and development of technology, (b) preparing national plans and policies, and (c) carrying out training programs; and (3) requested the UNCTAD Secretary General to prepare studies on the transfer of technology in special areas and on mitigating the adverse consequences of reverse transfer of technology from the developing to the developed countries.



The United States also participated in an UNCTAD group of governmental experts on the role of the patent system in the transfer of technology. This group met in September 1975 to consider aspects of the system in the context of a possible revision of the Paris Convention for the Protection of Industrial Property to reflect the special needs of the developing countries. The group's conclusions and recommendations on such issues as promotion of technology transfer, the working of patents and avoidance of abuses, other forms of invention protection, trademarks, preferential treatment for developing countries, and technical assistance were included in a resolution adopted by the Committee on Transfer of Technology on December 5. The resolution, which recommended that the process of revision of the Paris Convention should take full account of the responsibilities and competences of WIPO and UNCTAD, called on UNCTAD to continue to contribute to the work being done in WIPO on the economic and developmental aspects of the international patent system. The United States supported the resolution because it recognizes UNCTAD's interests in these aspects, but it continues to believe that proposals for revising the Paris Convention should be the responsibility of WIPO.

### Shipping

The 79-member Committee on Shipping held its seventh session in Geneva in November 1975. Three resolutions of particular interest to developing countries--on technical assistance for shipping and ports, freight rates, and finance for ship acquisition--were adopted by consensus. In addition, considerable attention was given to the growing congestion in the ports of many developing countries, and the Committee unanimously decided to request the UNCTAD Secretary General to convene a group of experts in 1976 to study this problem and make recommendations. The Committee concluded that no maritime shipping matters currently under its review were sufficiently developed to remit to UNCTAD IV for decision.

The Committee's Working Group on International Shipping Legislation held its fourth session in Geneva in January-February 1975 to examine the commercial and legal aspects of charter party<sup>6/</sup> contracts and to consider the need for mandatory international rules and the standardization of charter party clauses. No conclusions were reached. However, the UNCTAD Secretariat was requested to carry out additional studies on various

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<sup>6/</sup> A charter party is an agreement between a shipowner and a carrier, merchant, or the like for the commercial lease of a ship or space on a ship for a particular voyage or period of time.

aspects of charter parties, and the subject will be considered further at the seventh session of the Working Group in 1978. In November the Committee on Shipping decided to enlarge the Working Group by five members and elected without opposition 43 states, including the United States, as members for the following 3 years.

The 1974 Convention on a Code of Conduct for Liner Conferences,<sup>7/</sup> developed under the aegis of the Committee on Shipping, sets forth international rules to govern maritime shipping conferences. The convention was open for signature until June 30, 1975, by which time 30 countries had signed it. However, only 11 countries, representing 1.7% of the world's liner (general cargo) tonnage, became contracting parties by the end of 1975. The convention will not enter into force until at least 24 countries with at least 25% of the world's liner tonnage become contracting parties. The United States voted against adoption of the convention and remains opposed to its entry into force in its present form because of the anticompetitive nature of several of its key provisions.

## Trade

Trade issues were not as prominent in UNCTAD during 1975 as previously, since the attention of most countries focused on the seventh round of multilateral trade negotiations (MTN) which had been launched by the 1973 Tokyo Declaration. Nevertheless, a wide variety of trade issues were discussed to some extent in UNCTAD bodies.

Developing countries continued to urge the need for liberalization of both tariffs and nontariff barriers on a preferential basis for the developing countries. The developed countries had already agreed in the Tokyo Declaration to give special attention to the trade problems of the developing countries and to try to find ways to give them special treatment where feasible and appropriate. They pointed out, however, that the appropriate forum for such action was the MTN, not UNCTAD.

The developing countries also stressed, particularly in the Committee on Manufactures, which held its seventh session in Geneva in late June, the need to restructure the world's industrial capacity to allow them to develop their potential advantages in certain types of manufactured exports. The United States made clear that it could not enter into negotiations for the

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<sup>7/</sup> Liner conferences are two or more shipping lines grouped together to fix uniform freight rates and sometimes to concert their business activities in other ways. Most U.S. shipping lines are conference members.



purpose of redeploying industries, but it joined in the adoption by consensus at the 15th session of the TDB of a resolution requesting the UNCTAD Secretary General to study ways to facilitate the industrial development of the developing countries through industrial collaboration arrangements. The Committee on Manufactures also agreed to continue work within an UNCTAD expert group in order to identify and exchange information on restrictive business practices, and to study the possibility of drafting a model law and mutually agreed principles on restrictive business practices. The group of experts held its first meeting in October 1975, with a second session scheduled for February 1976.

A major development in the trade area arising out of UNCTAD activity concerned the generalized system of preferences (GSP) granted by developed to developing countries. Legislative and administrative action on the U.S. GSP was completed during 1975, enabling it to go into effect on January 1, 1976. This marked the final step in fulfillment of requests made by developing countries in 1964 at the first UN Conference on Trade and Development. (All other developed countries have also put their GSP schemes into effect.) UNCTAD's Special Committee on Preferences each year reviews the functioning of the various systems. The UNCTAD secretariat also operates a technical assistance project, financed by the UNDP, to disseminate information about the GSP schemes to help beneficiary countries take advantage of the new trade opportunities provided.

#### GENERAL AGREEMENT ON TARIFFS AND TRADE

The GATT entered into force January 1, 1948, with the objective of promoting world economic growth and higher levels of living through a reduction of barriers to international trade and the adoption by member countries of contractual rights and obligations governing the conduct of their trade relations. In the ensuing 28 years, world trade expanded more than fourfold and the GATT, although now in need of reform in certain regards, remains the principal multilateral instrument through which the United States is working to improve the world trading system.

The GATT consists of (1) a framework of general rules to promote trade relations among the contracting parties on a fair and equitable basis, (2) procedures for the application of these rules, and (3) concessions agreed upon in trade negotiations in the form of schedules of tariff rates extended by individual contracting parties to other contracting parties. The GATT contracting parties have established a variety of forums in which general and specific trade problems and disputes may be discussed.

The membership of the GATT remained at 83 nations throughout 1975, although the applications of Colombia and Paraguay for provisional and full accession respectively were approved by the Contracting Parties at the 31st Session in November and the Philippines and Tunisia continued to maintain their provisional accessions. Eighteen other nations also adhered to the GATT on a de facto basis.

While not formally a part of the UN system, the GATT Contracting Parties, functioning as an institutional entity, cooperates closely with UN organizations. For example, the GATT Contracting Parties and UNCTAD jointly direct an International Trade Center to assist developing countries in promoting their exports.

The GATT has provided the framework for seven multilateral rounds of tariff negotiations. The seventh, most ambitious and far-reaching to date, was officially launched with the unanimous adoption of the Tokyo Declaration in September 1973. This round differs from previous negotiations in that major emphasis is being placed on reduction of nontariff barriers to trade, and that special efforts are being made to benefit the less developed countries and to achieve freer trade in agricultural products. Previous rounds of trade negotiations had concentrated to a much greater degree on reduction of tariffs and had only limited success in dealing with agricultural trade problems. This round also differs from previous rounds in that a number of non-GATT countries are participating while a few GATT members are not.

In 1975 the negotiations moved from the preliminary procedural stage into the beginning of real bargaining on specific issues. A target completion date of December 1977 was agreed on by the Trade Negotiations Committee at its December 1975 meeting. (The Trade Negotiations Committee, on which all participating governments may be represented, was created by the Tokyo Declaration and is responsible for planning and directing the negotiations.)

While the major rounds of trade negotiations have liberalized international trade over the last 25 years in several large steps, the role of the GATT in the functioning of the international trading system on a day to day basis has also been important. The regular Sessions of the Contracting Parties are the highest forum of the GATT and, as such, decide upon the direction of the GATT's work. In addition, the GATT Council (which meets about nine times a year between Sessions), standing committees, and special working parties and panels afford the contracting parties other forums for debate of trade issues and mechanisms for the resolution of disputes.



Regular GATT activities in 1975 were dominated by measures taken by various contracting parties to deal with trade problems. Among the measures that the GATT reviewed were adjustments in Israel's tariffs necessitated by a major currency devaluation; import deposit schemes invoked by Brazil, Finland, and Portugal under balance of payments provisions of the General Agreement; a variety of import restrictive measures taken by Australia; the European Communities' embargo on bovine meat; U.S. anti-dumping and countervailing duty actions; intensification of Yugoslav import restrictions, including the imposition of a 10% import surcharge; and the extension by Turkey of its stamp duty until the end of 1977. The GATT also examined a series of free trade agreements between Finland and four Eastern European states and, at the request of the United States, Canadian import quotas on eggs and egg products.

A major development within GATT during 1975 was the Council's establishment in July of a Consultative Group of 18<sup>8/</sup> to monitor developments in trade policy with the objective of heading off or resolving conflicts between contracting parties through consultation. Because the Group of 18 consists of high-level representatives of the member states, it can also provide the GATT with policy guidance on relatively short notice. The Group held its first meeting in November 1975 and considered recent trade policy developments as well as a possible reform of GATT procedures for reviewing trade measures taken by contracting parties for balance of payments reasons. The United States is hopeful that the Group of 18, because of its relatively small size and the high level of representation, will develop into a useful addition to the GATT, in which policy makers from the major trading countries will be able to discuss common problems candidly and in depth.

### COMMODITY TRADE

Most intergovernmental consideration of problems concerning trade in primary commodities takes place within the UN framework. The FAO Committee on Commodity Problems reviews developments in world agricultural production and trade and focuses on particular products either through the meetings of formally established intergovernmental study groups (bananas; citrus fruits; grains; rice; jute, kenaf, and allied fibers; hard fibers; meat; oilseeds, oils, and fats; and tea) or through ad hoc meetings on other products.

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<sup>8/</sup> Established provisionally for a period of 1 year the initial composition of the group was Argentina, Australia, Brazil, Canada, Egypt, European Communities and their member states, India, Japan, Malaysia, Nigeria, Nordic country, Pakistan, Peru, Poland, Spain, Switzerland, United States, and Zaire.

UNCTAD's Committee on Commodities is directly responsible for UN activity on tungsten and exercises general surveillance over all intergovernmental commodity activities, receiving for its consideration reports from FAO, from the autonomous commodity study groups (cotton, lead-zinc, rubber, and wool), and from the independent commodity councils (coffee, cocoa, olive oil, sugar, tin, and wheat). In addition, the UNCTAD Secretary General may convene, upon request of the interested parties and by recommendation of the Trade and Development Board, negotiating conferences leading to formal international commodity agreements.

The United States takes part in most of these intergovernmental commodity activities. Of particular importance during 1975 was its participation in negotiations for new commodity agreements on tin, cocoa, and coffee. In a departure from previous policy, the United States announced in September 1975 its intention to become a party to the new International Tin Agreement.

Production and trade in many important commodities was off sharply in 1975 as a result of the general recession in industrial countries. Prices of many commodities important to developing countries declined sharply from record levels set in late 1973 and early 1974. Copper prices, for example, fell from a high of \$1.29 per pound in April 1974 to a low of 51¢ per pound in December 1975. Prices of other major commodities declined to a lesser degree; lead and zinc prices remained relatively firm; and coffee prices rose 50% in the latter half of 1975 as the result of severe frost damage to Brazil's coffee trees. Large inventories of copper, aluminum, and other commodities, which accumulated during 1975, may help to moderate the upward pressure on prices expected as a result of the continued recovery of industrial activity expected in 1976.

As in 1974, commodity trade problems in 1975 were an important issue in the relations between developed and developing countries. The developing countries continued to be adversely affected by recession-caused declines in the volume and price of their commodity exports, and by inflation-caused increases in the costs of essential imports from the industrial countries. Both UNCTAD and the General Assembly, at its seventh special session, were key forums for the presentation by developing countries of such proposals to remedy these problems as indexation of commodity prices, implementation of a "new international economic order" (as called for by the General Assembly at its sixth special session, but opposed by the United States), and UNCTAD's proposed integrated program for commodities.

Following are highlights of the year's activities in commodities of particular importance in world trade.



## Wheat

In February 1975, the International Wheat Council extended the International Wheat Agreement of 1971 for 1 year, until June 30, 1976. (The U.S. Senate subsequently gave its advice and consent to ratification of the extension on December 1.) The Council also established a preparatory group to examine the possible bases for negotiation of a new arrangement replacing the 1971 agreement. This action came, in part, as a response to the growing international concern over world food security that culminated in the World Food Conference of 1974.

The preparatory group met three times in 1975. At its third meeting, in late September, the United States presented a proposal for the establishment of a system of nationally-held reserves designed to assure that adequate food supplies would be available worldwide. The proposal was discussed further at the December meeting of the Council. The preparatory group is expected to present to the Council in June 1976 its conclusions and recommendations on both the U.S. proposal and the bases for the negotiation of a new agreement.

## Coffee

The world coffee market in 1975 was dominated by the effects of a July frost in Brazil, which will cut Brazilian coffee production well into 1978. Prices, which remained at depressed levels during the first half of 1975, rose by more than 50% after the reports of widespread damage to the Brazilian crop and are expected to remain high for at least 2 years.

The United States participated actively in the negotiations that the International Coffee Organization completed in December 1975 for a new agreement with operative economic provisions to replace the 1968 agreement, which has, since 1973, been without such provisions. The new International Coffee Agreement will enter into force on October 1, 1976, for a period of 6 years. However, its operative provisions will not be activated until world coffee production is restored and coffee supplies are again abundant. The new agreement follows the outline of previous agreements, but a number of additional innovative provisions will provide greater protection for consuming members.

## Cocoa

The International Cocoa Agreement of 1972--the first for this commodity--has not had to operate in the cocoa market since its entry into force in June 1973, because cocoa prices have remained well above the

negotiated price range. Exporting members have continued depositing a one U.S. cent per pound contribution on exports into a buffer stock fund and expect to accumulate a total of \$80 million by the fall of 1976.

The United States participated actively in the negotiations that led to the 1972 agreement, but declined to become a party to it. U.S. objections to the agreement were based on the inflexibility of the quota adjustment mechanism, the market share division, and the price range.

Negotiations for a new cocoa agreement, to enter into force in October 1976, were held in September-October 1975 under UNCTAD auspices. The United States made a series of proposals for a new agreement which would avoid the deficiencies of the present one. These proposals emphasized the use of buffer stock operations in place of export quotas, and increased the range in which market prices could fluctuate. The U.S. proposals were only partially incorporated into the final text, which was accepted by most producer and consumer members. The United States and the Ivory Coast--a leading producer--have expressed reservations on the final text of the agreement, which will remain open for signature until August 31, 1976. The United States has indicated its willingness to participate in renegotiations of the cocoa agreement.

## Sugar

The 1973 International Sugar Agreement had no economic provisions, but kept intact the International Sugar Organization as a consultative forum; the United States participates as an observer. The organization is currently preparing to renegotiate the 1973 agreement, and its council, which met in November 1975, recommended that a small consultative group draft a new agreement with a view to holding negotiations under UNCTAD auspices in September 1976. The United States will participate in any negotiations for a new international sugar agreement, and it expects to have every opportunity to contribute to the consultative group working on the agreement.

## Tin

Since 1956, world trade in tin has been influenced by four successive 5-year international tin agreements, whose objectives have been to avoid excessive price fluctuations through balancing tin supply and demand. The International Tin Council, which administers the agreement, established floor and ceiling prices and carries out a buffer operation, buying tin to prevent prices from falling below the floor and selling tin



from the buffer stock to prevent prices from rising above the ceiling. In addition, export and production controls may be used to help support the floor price. These mechanisms are aimed at keeping tin prices within a middle sector of the floor-ceiling price band, where they are allowed to fluctuate freely.

In 1975, the United States participated in the May-June negotiation of the Fifth International Tin Agreement, which is scheduled to come into force for a 5-year period on July 1, 1976. The United States, which was not a party to the earlier tin agreements, announced during the seventh special session of the UN General Assembly in September its intention to sign the agreement, subject to congressional consultations and ratification. At the same time, the United States reiterated that it would retain its right to sell excess tin from its strategic stockpiles.

### Other Commodities

Other international discussions in which the United States took part in 1975 dealt with bananas, tea, rubber, lead and zinc, and tungsten. Noteworthy among these was the FAO Intergovernmental Group on Bananas which held its sixth session in Abidjan, Ivory Coast, April 29-May 3 and unanimously decided to request the FAO Director General to convene a working party as soon as practicable to begin work toward the negotiation of an international banana agreement.

### TRANSNATIONAL CORPORATIONS

The Commission on Transnational Corporations, established by ECOSOC on December 5, 1974, held its first session in New York, March 17-28, 1975. Serving as an advisory body to ECOSOC and as a forum for consideration of all issues relating to transnational corporations, the Commission, which will meet annually, is composed of 48 members elected to 3-year terms by ECOSOC.<sup>9/</sup> At this session the Commission agreed that its program of work should focus on the following areas: (1) preliminary work directed toward formulating a code of conduct; (2) establishment of a comprehensive infor-

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<sup>9/</sup> Members in 1975 were Algeria, Argentina, Australia, Bangladesh, Barbados, Brazil, Bulgaria, Canada, Colombia, Ecuador, France, Gabon, German Democratic Republic, Federal Republic of Germany, Greece, Guinea, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Senegal, Sierra Leone, Sweden, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, Yemen (Aden), Yugoslavia, Zaire, and Zambia.

mation system; (3) research on the political, economic, and social effects of the operations and practices of transnational corporations; (4) organization and coordination, at the request of governments, of technical cooperation programs concerning transnational corporations; and (5) work leading to a definition of transnational corporations.

The UN Information and Research Center on Transnational Corporations, which will work under the guidance of the Commission, began operating in its New York office on November 3, 1975. Klaus A. Sahlgren, a Finnish national who served as GATT Council Chairman in 1974-75, was appointed Executive Director of the Center. At its March meeting, the Commission decided that one of the priority tasks of the Information and Research Center would be to conduct comparative studies of existing national and regional legislation and any established international guidelines or codes of conduct relating to the activities of transnational corporations. The results of these studies will be incorporated into a comprehensive information system on transnational corporations. As a first step in setting up the information system, the Center is undertaking surveys on existing information and on the current state of research related to transnational corporations throughout the world.

Taking into account the results of the two surveys and other activities of the Center in its first months of operation, the Commission would formulate a detailed program of work at its second session, scheduled for Lima, Peru, in March 1976.

On July 29, 1975, the 59th ECOSOC adopted without vote a resolution requesting the Secretary General to establish joint liaison and support units in each of the regional economic commissions to contribute to the work of the Information and Research Center. The work programs of the regional units will be determined jointly by the Center and the secretariats of the regional commissions within the framework of the program agreed upon by the Commission on Transnational Corporations and ECOSOC.

### U.S. Policy on Code of Conduct

The United States does not believe that a multilateral treaty establishing binding rules for transnational enterprises is possible in the near future. However, at the seventh special session of the General Assembly and in a speech on August 11 before the annual convention of the American Bar Association, Secretary of State Kissinger reaffirmed U.S. support for the Commission's efforts to articulate standards of conduct for transnational enterprises and for governments. In



the U.S. view, any code of conduct should apply to transnational enterprises in their relations with governments, and to governments in their relations with enterprises and with other governments. Any code must also, inter alia, (1) provide that transnational enterprises be treated in accordance with existing principles of international law governing the treatment of foreigners and their property rights; (2) cover all transnationals, whether of private, state, or mixed ownership; (3) call for host governments to treat transnational enterprises equitably, without discrimination among them, and in accordance with international law; (4) set forth not only the obligations of transnationals, but also the host country's responsibilities to the foreign enterprises within its borders; and (5) acknowledge the responsibility of governments to apply recognized conflict-of-laws principles in reconciling regulations applied by various host nations.

#### General Assembly Resolution on Corrupt Practices

The 30th General Assembly adopted a resolution calling for measures against corrupt practices of transnational and other corporations, their intermediaries, and others involved. The resolution, introduced in the Second Committee by Iran and sponsored in its final form by 28 developing countries, condemns all corrupt practices, including bribery, and calls upon home governments to cooperate with host governments to prevent such practices and to prosecute, within their national jurisdictions, those who engage in such acts. The resolution also reaffirms the right of any state to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against transnational and other corporations, their intermediaries, and others involved in corrupt practices. The Second Committee approved the resolution without vote on December 4 and the Assembly adopted it without vote on December 15.

On December 4, Ambassador Myerson made explicit the U.S. understanding of the text of the resolution, saying:

"I think that we all agree on the condemnation of corrupt practices, including bribery. The blame for such acts must be shared equally by all who participate. Thus, we interpret the reference to bribery wherever it appears in the text to cover all aspects--the offering, the payment, the solicitation, the acceptance of illegal payments."

With regard to legislation against corrupt practices enacted by states, he stressed:

". . . It is important that such legislation clearly define the offenses and establish specific measured penalties appropriate to particular offenses and that offenders should be prosecuted through the courts on the basis of evidence and due process of law."

The United States, he said, pledged its support for cooperative action between governments to eradicate corrupt practices, but it had strong reservations about the feasibility or propriety of home countries enacting extraterritorial legislation to deal with this problem, and it called for careful examination of this issue in the Commission on Transnational Corporations.

## POPULATION

### Population Commission

In pursuit of its mandate from ECOSOC, the 27-member Population Commission<sup>10/</sup> held its 18th session in New York, February 18-28, 1975. Its primary concern was the impact of the World Population Conference (held in Bucharest in August 1974) on UN population policies and upon the work of the Commission itself.

The Commission addressed itself primarily to the objectives of the World Population Plan of Action that had been adopted by the Conference, its own catalytic role in furthering population programs, and the budgetary and administrative base for carrying out its mandate. It did not challenge the responsibility of the UNDP Governing Council for the programming, budgeting, or fund-raising of the UN Fund for Population Activities (UNFPA). The United States took an active role in the work of the Commission and the results were consonant with major U.S. policy objectives in the field of population activities. The Commission adopted one resolution, and it approved four resolutions and four decisions for adoption by ECOSOC.

In order that it might better report to ECOSOC on the implications of the World Population Conference--as the 29th General Assembly had requested in 1974--the Commission requested the Secretary General to obtain additional information for it. This included national-level reports on implementation of the Plan of Action; reports of the undertakings by the regional commissions and other regional organizations in regard to the Plan;

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<sup>10/</sup> Members in 1975 were Brazil, Costa Rica, Denmark, Ecuador, Egypt, France, Ghana, India, Indonesia, Japan, Mauritania, Morocco, Netherlands, Niger, Panama, Peru, Philippines, Romania, Rwanda, Sweden, Thailand, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, and United States.



and reports on the policies, programming, and projects for implementation of the Plan undertaken by UN organizations and other international agencies. The Commission requested that all this information be available to it before its 19th session (1977).

The Commission approved without a vote a resolution on the UN biennial work program and medium-term plan of work in the field of population which recommended, inter alia, that ECOSOC (1) call the attention of the General Assembly to the need to strengthen the monitoring, review, and appraisal functions of the Secretariat arising from the recommendations of the World Population Conference and the Plan of Action, and (2) express concern that the planned administrative and financial resources were not adequate for implementing the Plan. The United States and other members of the Commission expressed reservations about the adequacy of the Secretariat proposals, particularly in regard to the final 2 years (1978-79) of the medium-term plan.

The United States was one of nine sponsors of a resolution, which the Commission approved without a vote, in which ECOSOC requested the Secretary General (1) to prepare guidelines to assist development planners at the national level to take into account population-related factors when drawing up plans for development, and (2) to submit such guidelines to ECOSOC at its 60th session in 1976.

The Commission also approved without vote a resolution on the status of women that was introduced by the United States and sponsored by nine states. The resolution recognized that improvement of the status of women in both the family and society could contribute to smaller family size while the opportunity for women to plan births would also improve their individual status. The resolution quoted in full some of the recommendations in the World Population Plan of Action relating to the equal status of men and women and urged UN bodies, member states, and relevant nongovernmental organizations to take appropriate action to implement the recommendations.

Finally, the Commission approved without vote a resolution on international migration recommending that intergovernmental and UN organizations establish an ad hoc group to study appropriate measures for, inter alia, the protection of the rights of migrant workers and their families. (ECOSOC subsequently adopted this resolution as part B of a two-part resolution; part A had been recommended by the Commission for Social Development--see p. 174.)

The four decisions that the Commission prepared for adoption by ECOSOC provided that (1) the Commission would examine on a biennial basis the progress made in

implementing the World Population Plan of Action; (2) the Commission would continue as a functional commission of ECOSOC, preserving its character as an expert governmental body on all population matters; (3) ECOSOC would review population questions in depth every 2 years, with emphasis on implementation of the Plan of Action; and (4) ECOSOC's Committee on Review and Appraisal would be asked to incorporate the appropriate principles, objectives, and recommendations contained in the Plan of Action in its review of progress in implementing the International Development Strategy for the Second UN Development Decade.

With only minor amendments, ECOSOC adopted all the resolutions and decisions recommended to it in May 1975 during its 58th session.

### Fund for Population Activities

UNFPA was established in 1967 by the UN Secretary General as a special trust fund and was brought under the General Assembly's own authority in 1972. Since 1973 the Fund has operated under the overview of the UNDP Governing Council, which is responsible for "the financial and administrative policies relating to the work program, the fund-raising methods, and the annual budget of the Fund."

Support for the UNFPA is achieved through voluntary contributions from governments. During 1975, contributions paid or pledged were \$63 million, compared to \$54 million in 1974; the United States contributed \$20 million each year. In 1975, a total of 52 states, about half of them in the developing world, contributed to the Fund.

Since its creation the Fund has supported over 1,000 projects in more than 90 countries, including numerous regional projects. Prior to 1975 country agreements each totalling over \$1 million had been approved for one African, three Near Eastern and South Asian, three Latin American, and four East Asian countries. Two more Near Eastern and two more Latin American countries joined this category in 1975. Of several comprehensive country agreements, the one signed with India in 1974 to provide \$40 million of assistance over a 5-year period is by far the largest signed to date.

Allocation of scarce resources was a particular focus of UNFPA operations in 1975, because requests for assistance had begun to exceed greatly available resources. Throughout the developing world in 1975 there was a decided shift of both UNFPA and domestic resources toward family planning and away from projects involving basic data gathering and other necessary, but preliminary programs. In Africa, the collection



of basic population data (census work) continued to demand a major share of funds, amounting to 68% of total expenditures, but family planning activity increased to 18%. By contrast, family planning projects in Latin America drew 48% of available funds. Within the Arab world, family planning programs, emphasizing maternal and child health, drew 56% of area allocations. For Asia and the Pacific, the proportion of resources devoted to family planning services reached 60%, with education and communications drawing 22% of allocated funds.

Fund-raising demanded special attention from both the UNFPA leadership and the donor countries. Intimations of greater financial support from Arab states were given substance by Egypt which sought to spark a new support campaign among other Arab states by increasing its own pledge by more than 50%. At the same time, the Fund's Executive Director, Rafael Salas (Philippines) called upon traditional donors to supplement their contributions with arrangements by which bilateral assistance could be dovetailed with multilateral programs, thus adding new sources of funds and releasing UNFPA funds for additional projects. Pressure to institute this "multi-bilateral funding" was provided by the prospect of \$105 million in approved projects for 1976 against anticipated revenues of only \$74 million.

## FOOD PROBLEMS<sup>11/</sup>

### World Food Council

The 1974 World Food Conference had called upon the General Assembly to establish a World Food Council (WFC) at the ministerial or plenipotentiary level to function as an organ of the United Nations, reporting to the General Assembly through ECOSOC. The main role of the WFC is to serve as a coordinating mechanism providing overall, integrated attention for the successful coordination and follow-up of policies concerning food production, nutrition, food security, food trade, food aid, and other related matters by all agencies of the UN system. The United States strongly supported the establishment of the WFC and at the World Food Conference worked to ensure that the WFC would be a worthwhile organization with a small but representative membership. The 36-member<sup>12/</sup> WFC was established by the General Assembly in December 1974.

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<sup>11/</sup> Also see section on FAO, p. 229.

<sup>12/</sup> Argentina, Australia, Bangladesh, Canada, Chad, Colombia, Cuba, Egypt, France, Gabon, Federal Republic of Germany, Guatemala, Guinea, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Libya, Mali, Mexico, Pakistan, Romania, Sri Lanka, Sweden, Togo, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, Zambia.

Dr. John Hannah of the United States was appointed Executive Director of the WFC by the UN Secretary General. The WFC held its first session at Rome from June 23 to 27, 1975, and elected Sayed A. Marei of Egypt (former Secretary General of the World Food Conference) as President. The Council session was mainly taken up with a review of the activities of the various bodies engaged in following up resolutions of the World Food Conference and a consideration of the more critical food issues: (1) food availability for the most seriously affected countries; (2) various approaches to improving world food security; (3) the fertilizer and pesticides situation; (4) financial and technical assistance for agricultural development; and (5) progress toward attainment of the World Food Conference target of 10 million tons of food aid a year.

On the latter, U.S. leadership in providing six million tons in 1975-76 was recognized, as were increased aid efforts by several other developed countries. The Council requested its President and Executive Director to undertake consultations with other aid-giving countries that had not yet made firm commitments to increase food aid.

Since the Council was still in the organizing phase, a 16-state working group (including the United States) was set up to draft rules of procedures. The group continued its work into the following year and was expected to report to the next plenary session of the WFC in the summer of 1976. The principal issue, which was the subject of controversy at the 1975 meeting, was the definition of the respective roles and responsibilities of the WFC President and Executive Director. The developing countries generally advocated giving the stronger role to the President, while the developed countries favored a strong Executive Director.

The United States encouraged the WFC secretariat to prepare a tight, more specific agenda for the Council's second session and maintained that only the most important issues should be presented for review. The United States advocated that the WFC continue to work at the ministerial level and avoid duplicating work already being undertaken by other international bodies. The United States also advocated that the WFC secretariat be a small body located in Rome and housed in FAO headquarters.

#### International Fund for Agricultural Development

Another important resolution adopted by the World Food Conference called for the establishment of an International Fund for Agricultural Development (IFAD). There was general recognition that a large increase in investment in the agricultural sector would be



required in order to achieve the necessary expansion of food production in the developing countries.

The 29th General Assembly requested the UN Secretary General to convene a meeting of interested countries to work out the details of such a fund, and the meeting was held in Geneva, May 5-6, 1975. The Meeting of Interested Countries, attended by representatives of 66 states (including the United States) and various inter-governmental organizations, gave overwhelming support to the establishment of IFAD but recognized that many operational, financial, procedural, technical, and other related questions would have to be examined before the Fund could be formally established. The Meeting, therefore, set up a 27-state ad hoc working group, again including the United States, to consider and make recommendations on the establishment of the Fund.

The working group met in June and September, and the Meeting of Interested Countries held a second session in late October. The principal questions at issue were the system of voting, the level and sources of pledges required to bring IFAD into being, and the use to be made of existing international financial institutions for appraisal and supervision of projects. Substantial progress was made toward resolving these issues.

At the opening of the seventh special session of the General Assembly in September, Secretary Kissinger announced that he would seek authorization for a U.S. contribution of \$200 million, provided others would add their support for a combined goal of at least \$1 billion.

On December 15 the 30th General Assembly, on the recommendation of its Second Committee and without a vote, took note of the report of the Meeting of Interested Countries. It also adopted a resolution that (1) requested the Secretary General to convene in Rome a Conference of Plenipotentiaries on the Establishment of IFAD as soon as possible after the Meeting of Interested Countries completed its preparatory work; and (2) invited the Conference of Plenipotentiaries to adopt an agreement for the establishment of IFAD, which is to become a specialized agency of the United Nations, and to establish a preparatory commission to enable IFAD to commence its operations at the earliest possible date.

The third session of the Meeting of Interested Countries was scheduled for January 1976.

### Consultative Group on Food Production and Investment in Developing Countries

The Consultative Group on Food Production and Investment in Developing Countries (CGFPI) was also established as the result of the World Food Conference. Its purpose is to (1) encourage a larger flow of resources to developing countries for food production, (2) improve the coordination of assistance, and (3) ensure a more effective use of resources in the developing countries. The Group consists of donor countries and institutions on a self-selected basis and recipient countries elected on a regional basis. Its informal structure is designed to foster frank exchange and dialogue on the practical issues in agricultural development. A large variety of participants, including representatives of the private sector attending as observers, were encouraged to participate in order to contribute their knowledge on specific investment subjects.

The United States attached importance to the creation and work of the CGFPI, believing that its role and structure offer a unique opportunity to examine existing practices concerning investment in food production in the developing countries and to develop a practical set of policy guidelines of value to countries. The basis for the U.S. approach was that, while improved research might bring technological breakthroughs, there was no substitute for additional investment; and that this investment should be concentrated in strategic areas, such as greater production acreage, increase in yields, fertilizer, storage facilities, and pesticides.

The Group held its first meeting in Washington in July 1975. The U.S. delegation was headed by the Assistant Secretary of State for Economic and Business Affairs. The discussions focused primarily on priorities in agricultural assistance to the developing countries, estimates of resource flows and related statistics, examination of production inputs, and development of a future work program. The work of the Group offered the possibility of developing a long-range strategy or doctrine dealing with investment in food production which would be of practical guidance to investment decision-makers in this field.

### PROGRESS ON THE SECOND DEVELOPMENT DECADE

The comprehensive International Development Strategy for the Second UN Development Decade was adopted by the General Assembly on October 24, 1970, as a major feature of the 25th anniversary commemorative session. The Strategy provided quantitative goals, including an annual growth in GNP of 6% for the



developing countries as a whole during the decade of the 1970's, and a set of policy measures in the economic, financial, social, scientific, and technological fields. The United States participated actively in the negotiations on the International Development Strategy and supports the concept of the strategy as well as the goals. However, it expressed reservations about certain specific proposals within the strategy, including the setting of specific targets for official assistance by developed countries.

The Strategy also provided for carrying out biennial reviews and appraisals of the progress of the Decade. The review process was to identify the shortfalls in achievement and to recommend positive measures as needed. All UN agencies were requested to review progress in their respective sectors and make appropriate submissions to ECOSOC which would make an overall appraisal for consideration by the General Assembly. The first biennial review and appraisal was conducted in 1973. The second, in 1975, was to be a major mid-term review.

#### Mid-Term Review and Appraisal

Many bodies in the UN system undertook studies on progress within their areas of interest. However, the focus of UN attention with respect to development problems shifted to preparations for the seventh special session of the General Assembly (see p. 102), and ECOSOC's Committee on Review and Appraisal at its third session (May 12-June 6) did not arrive at any conclusions or draw up any recommendations. Various proposals before the Committee concerning the Strategy were passed on from the Committee to ECOSOC, which in turn passed them to the 30th General Assembly.

The United States, although an active supporter of the International Development Strategy, believed that the need for a detailed review had been largely overcome by the comprehensive resolution on "Development and International Economic Cooperation" adopted by the General Assembly on September 16, 1975, at the end of its special session. Nevertheless, when it became clear that many other states wished to engage in a detailed review, the United States participated fully in consideration of a lengthy draft resolution introduced in the General Assembly's Second Committee on November 7 by the Malagasy Republic on behalf of the developing countries.

In this draft the developing countries tended generally to downplay the economic progress actually achieved in the first half of the Decade. The United States and other developed countries, while acknowledging that the amount of official development assistance from the economically advanced countries had not

approached the level of 0.7% of GNP called for by the Strategy, stressed that various other targets had been met. They pointed out that much of the economic planning and progress foreseen during the Decade had been upset by the major change in fuel prices imposed in 1973 and 1974. Determining the degree of progress achieved was difficult because although statistics indicated that targeted rates of progress had generally been achieved by the developing countries as a whole, many individual countries lagged well behind the average.

The draft resolution as originally submitted contained many elements unacceptable to the United States and other developed countries. There were references to the 1974 General Assembly resolutions concerning a "new international economic order" and the Charter of Economic Rights and Duties of States, on both of which the United States and other developed countries had previously recorded their reservations. There were inaccurate or pejorative references to such technical matters as progress in the multilateral trade negotiations, implementation of a generalized system of tariff preferences, the activities of transnational corporations, shipping conferences, and sovereignty over natural resources. It called for the transfer of resources to developing countries to be put on an automatic basis by (1) the creation of a link between the IMF's special drawing rights (SDR's) and additional development financing and (2) utilization of the proceeds from the exploitation of the ocean floor. Both of these issues were still being debated in other forums. In addition, there were what the United States regarded as extraneous and unacceptable references to such subjects as foreign aggression, racial discrimination, and colonialism.

The resolution also provided for the Assembly to place on the provisional agenda for its 31st session an item on the revision of the International Development Strategy. It invited ECOSOC to place the subject on its agenda for its 1976 summer session and requested other UN bodies to recommend new goals and objectives for the remainder of the Development Decade.

Day and night negotiations during the final weeks of the 30th Assembly resulted in considerable reformulation of the original draft. The Second Committee approved the resolution on December 11 at its last meeting of the 30th session by a vote of 94 to 0, with 7 abstentions (U.S.). The Assembly in plenary session adopted it on December 15 by a vote of 123 to 0, with 8 abstentions (U.S.). A number of countries voting in favor of the resolution recorded their reservations concerning some of its provisions.

Ambassador Myerson explained the U.S. vote on December 11. He declared that the document still failed



to reflect adequately important factors accounting for gains and shortfalls in the first half of the Decade. In addition, the United States had specific substantive difficulties with portions of the text. Among the propositions that were unacceptable to the United States were the invitation to developing countries to strengthen producers' associations, the invitation to accede to the code of conduct for liner conferences, the unqualified statement on the right to sovereignty over natural resources without mentioning the related international obligations that governments have freely undertaken, the references to racial discrimination and other political matters, and the linkage of SDR's to developmental aid. However, Ambassador Myerson affirmed the continued U.S. commitment to deal with the problems of the developing world in accord with the agreed agenda for action contained in the resolution adopted by the Assembly at its seventh special session.

#### Other Resolutions

In addition to this major resolution, the Second Committee proposed during its consideration of the Second Development Decade, and the General Assembly adopted on December 12, four other resolutions. In the first, which was sponsored by 46 states, including the United States, and adopted without vote, the Assembly decided, on the recommendation of ECOSOC, to include Bangladesh, Central African Republic, Yemen (Aden), and Gambia in the list of "hard-core least developed countries." <sup>13/</sup>

The second resolution, sponsored by 12 states from all areas except Western Europe and also adopted without a vote, stressed the important role that the public sector can play in promoting the economic development of developing countries and requested the Secretary General to submit to the General Assembly in 1977 a study of all available data on this subject, with a view to facilitating the exchange of information and experience among countries. Although the United States joined in the adoption by consensus of the resolution, it emphasized its view that the private sector had an equally important role in development and expressed doubts about the usefulness of the proposed study.

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<sup>13/</sup> In 1971 the General Assembly had approved a list of 25 countries that the Committee for Development Planning--24 experts appointed by ECOSOC for 3-year terms--had designated as the least developed among the developing countries. The 25 were Afghanistan, Benin, Bhutan, Botswana, Burundi, Chad, Ethiopia, Guinea, Haiti, Laos, Lesotho, Malawi, Maldives, Mali, Nepal, Niger, Rwanda, Sikkim, Somalia, Sudan, Tanzania, Uganda, Upper Volta, Western Samoa, and Yemen (Sana).

The third resolution, sponsored by nine developing countries, requested the Secretary General to submit to the Assembly in 1976 a study on ways to accelerate the transfer of real resources to developing countries "on a predictable, assured, and continuous basis," and urged the economically advanced countries to reach the target for official development assistance laid down in the International Development Strategy. The resolution was approved in the Second Committee by a vote of 101 to 1 (U.S.), with 14 abstentions, and adopted by the Assembly by a vote of 112 to 1 (U.S.), with 14 abstentions. The United States voted against the resolution because it could not endorse either the various references to "the new international economic order" or the specific target set for official development assistance.

The final resolution concerned the implementation of the World Plan of Action adopted by the World Conference of the International Women's Year (see p. 217). The resolution was sponsored by 14 states, including the United States, and adopted without a vote. It affirmed that a system-wide review and appraisal of the implementation of the World Plan of Action should be undertaken as part of the review and appraisal process for the Second Development Decade, and it urged all states and relevant UN bodies to report on measures taken to implement it.



## SOCIAL ISSUES

### DRUG ABUSE CONTROL

In 1975, UN organizations and affiliates significantly refined and expanded their drug abuse control activities, and continued to focus world attention on the international problem of drug abuse.

#### Commission on Narcotic Drugs

The 26th session of the Commission on Narcotic Drugs<sup>14/</sup> was held in Geneva, February 17-28, 1975. Continuing its discussion of poppy cultivation to meet world requirements of opium for medical and scientific purposes, the Commission recognized the need to meet legitimate demand without increasing the risk of diversion into illicit channels. It was agreed that the UN Laboratory in Geneva should accelerate its research to maximize yields from the most controllable narcotic raw materials: poppy straw, high-yielding varieties of poppy, and papaver bracteatum. The International Narcotics Control Board was asked to continue to monitor the licit supply and demand situation.

The Turkish Government's decision to resume limited poppy cultivation, even though prohibiting the lancing of capsules, caused concern among some Commission members. They commented that to prevent opium production the Turkish Government would need competent and adequately equipped personnel manning an extensive control organization. Several representatives noted that it was in the interest of the international community that the Government of Turkey receive any assistance it might need for its control system.

The Commission approved a significant revision of the form of annual reports by which parties to the international narcotics conventions fulfill their obligation of apprising the Division of Narcotic Drugs of narcotic developments within their borders. The revised form should improve the quality and usefulness of international drug reporting.

The Commission recommended to ECOSOC the adoption of several resolutions on subjects concerning international

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<sup>14/</sup> Members in 1975 were Argentina, Australia, Brazil, Canada, Chile, Egypt, France, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Jamaica, Japan, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Romania, Sweden, Switzerland, Thailand, Togo, Turkey, U.S.S.R., United Kingdom, United States, and Yugoslavia.

drug control, all of which were supported and some of which were cosponsored, by the United States.

## ECOSOC

The Social Committee of the 58th session of ECOSOC considered the problem of drug abuse at two meetings on April 18. Ambassador Sheldon B. Vance, Senior Adviser to the Secretary of State and Coordinator for International Narcotics Matters, urged that ECOSOC assume a leading role in the international cooperative effort against drug abuse. He also restated the U.S. pledge to continue combating drug abuse both domestically and internationally.

The Committee approved five resolutions recommended by the Commission, as well as two draft resolutions introduced in the Committee by the United States and other members. On May 6 the ECOSOC plenary adopted without a vote all seven resolutions. The following were the most important.

One resolution appealed to governments for "generous and sustained" contributions to the UN Fund for Drug Abuse Control.

Another resolution recommended that states cooperate closely to suppress the illicit drug traffic.

A third resolution recommended, inter alia, that governments incorporate measures for drug abuse prevention and treatment into their integrated public health programs. It also called for further research into the processes of prevention and treatment, and recommended that international organizations promote the exchange of information and expertise in this field.

ECOSOC also elected Colombia, Italy, and Malagasy Republic and reelected Argentina, Canada, France, Federal Republic of Germany, Hungary, India, Kenya, Pakistan, Sweden, Thailand, United States, and Yugoslavia to serve on the Commission for 4-year terms beginning January 1, 1976.

On July 25, during the 59th session of ECOSOC, the Council's Policy and Program Coordination Committee approved without a vote the scheduling of a special session of the Commission in February 1976 in Geneva to monitor the constant innovations of both traffickers and law enforcement agencies, and to exchange information on demand reduction techniques. The Committee also approved meetings in 1976 and 1977 of the national Narcotic Law Enforcement Agencies of the Countries of the Far East Region and of the Commission's Subcommission on Illicit Drug Traffic in the Near and Middle East. The United States actively supported scheduling the additional meetings.



## General Assembly

The Third Committee of the 30th General Assembly devoted October 28 to a discussion of the international drug abuse situation. Fourteen countries made statements, most of which reiterated national commitments to combat drug abuse and called for international cooperation to this end. The Executive Director of the UN Fund for Drug Abuse Control outlined the Fund's activities and requested additional contributions. The Committee approved four resolutions, all of them co-sponsored by the United States, which the General Assembly subsequently adopted on December 9.

The first, introduced by Sweden and sponsored by 17 states, urged countries to adhere to the 1971 Convention on Psychotropic Substances, which still lacks the required number of ratifications for entry into force. It was approved by a vote of 107 (U.S.) to 0, with 2 abstentions, and adopted by the plenary Assembly by a vote of 124 (U.S.) to 0, with 3 abstentions.

The second, introduced by France and sponsored by 11 states, invited governments to cooperate fully with the International Narcotics Control Board as it assumed its expanded responsibilities under the 1972 Protocol Amending the Single Convention on Narcotic Drugs, which had come into force in August 1975. The Committee approved this resolution by a vote of 100 (U.S.) to 0, with 9 abstentions, and the Assembly adopted it by a vote of 115 (U.S.) to 0, with 10 abstentions.

The third, introduced by Turkey and sponsored by 15 states, requested the Secretary General to provide adequate budgetary priority to UN drug control activities. The Committee endorsed this resolution by a vote of 98 (U.S.) to 0, with 10 abstentions, and the Assembly adopted it by 118 (U.S.) to 0, with 11 abstentions.

The fourth resolution, also introduced by Turkey, was sponsored by 13 states. It endorsed the appeal by ECOSOC to governments for generous and sustained contributions to the UN Fund for Drug Abuse Control. The resolution also requested the Secretary General to use his good offices to encourage such contributions. The Committee approved the resolution by a vote of 102 (U.S.) to 0, with 9 abstentions, and the Assembly adopted it by 121 (U.S.) to 0, with 11 abstentions.

Speaking in the Third Committee, the U.S. Representative, Congressman Donald M. Fraser, lauded the collaboration between the UN Fund and the Government of Turkey in connection with that government's decision to harvest unincised poppy capsules rather than opium gum, thus reducing the risk of diversion into illicit channels. He also singled out for praise the efforts of the Governments of Burma and Mexico to cope with

illicit opium production, and he concluded by saying of the four resolutions: "Taken together, they propose a course of action designed to maintain the momentum developed in recent years by nations committed to the struggle against drug abuse."

### Fund for Drug Abuse Control

The UN Fund for Drug Abuse Control, under its new Executive Director, Ambassador J. G. de Beus (Netherlands), continued to support projects, primarily in developing countries, to strengthen national control measures, reduce illicit production, and discourage drug abuse through education. The Fund maintained 74 projects throughout the world, spending approximately \$4.3 million in 1975.

Most of the Fund's expenditures were in support of agreed country programs designed to improve the drug situations in important drug-producing countries. In Turkey, where the Government had accepted the Fund's recommendation that it prohibit the harvesting of opium gum in favor of the production of poppy straw--which is less subject to illicit diversion--the Fund supplemented the Government's resources with vehicles, communications equipment, and training for its poppy-field inspection program. To facilitate Turkey's conversion to the straw process, the Fund established a contingency fund of \$4 million for use should the farmer's income from selling poppy straw fall below what he could reasonably have expected to earn had he produced opium gum under the former system. In 1975 there was no evidence of opium gum production in Turkey.

In Afghanistan the Fund operated a major law enforcement assistance program which was responsible for opium seizures amounting to several tons. The Fund also continued its efforts in Thailand to identify crops that could be economically substituted for the opium normally grown by the northern hill tribes. Promising results were achieved with such crops as coffee, tobacco, beans, vegetables, herbs, and oils.

The Fund supported research by the UN Laboratory on the feasibility of substituting, as a less abusable source of codeine than the opium poppy, the non-opium producing papaver bracteatum. The Laboratory also investigated ways to maximize the yield of medicinal drugs from the opium poppy, so that medical needs might be met from a reduced acreage of poppies.

By the end of 1975, the Fund had received almost \$19.5 million from over 50 governments. Of this the United States had contributed \$15 million.



## Other Activities

The 1972 Protocol Amending the Single Convention on Narcotic Drugs entered into force on August 8, 30 days after ratification by the 40th state. By the year's end 43 states had become parties. The Protocol strengthens the authority of the International Narcotics Control Board, enabling it to monitor implementation of the international narcotics control conventions more effectively.

## CRIME PREVENTION AND CONTROL

The Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders was held in Geneva September 1-12, 1975. This quinquennial Congress, held under authority of a 1950 General Assembly resolution, was originally scheduled for Toronto during that period. The Canadian Government, concluding that the international situation was not conducive to the success of the Congress and that the anticipated injection of political issues into its proceedings could seriously interfere with negotiations in the Middle East, asked for a postponement to a mutually convenient date in 1976. Instead, the UN Committee on Conferences decided to transfer the venue of the Congress to Geneva.

Over 1,000 official delegates, representatives of nongovernmental organizations, and individual participants attended the Congress. The U.S. delegation, headed by Judge Harold R. Tyler, Jr., Deputy Attorney General, consisted of a well-balanced group drawn from federal, state, and local governments, including two members of Congress, the judiciary and the bar, and the academic world. Many other delegations were similarly composed of persons concerned primarily with the criminal justice system of their countries, thus contributing to an atmosphere that was for the most part apolitical and professional in tone.

The work of the Congress was divided among five sections: (1) Changes in forms and dimensions of criminality--transnational and national; (2) Criminal legislation, judicial procedures, and other forms of social control in the prevention of crime; (3) The emerging roles of the police and other law enforcement agencies, with special reference to changing expectations and minimum standards of performance; (4) The treatment of offenders in custody or in the community, with special reference to the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations; and (5) Economic and social consequences of crime: new challenges for research and planning.

Many issues of importance to the United States were discussed in these sections.

## Declaration on Torture

A major achievement of the Congress was the adoption, after consideration in sections (3) and (4), of a Declaration on Torture, sponsored jointly by the Netherlands and Sweden. This Declaration was developed in response to a 29th General Assembly resolution requesting the Congress to consider "rules for the protection of all persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman, or degrading treatment or punishment."

The Declaration enunciates a set of legal principles that would deter or prohibit torture, which it defines as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons." The Declaration condemns torture, even in exceptional circumstances such as a state of war or other public emergency, and calls on states to take effective measures to prevent it. Such measures would include making acts of torture criminal offenses, providing remedies for victims of torture and punishment for its perpetrators, and training of law enforcement and other public officials responsible for persons deprived of their liberty.

After adoption by the Congress the Declaration was sent to the 30th General Assembly with a recommendation for approval. (See p. 203 for Assembly action.) Although the Declaration is not legally binding, it nevertheless represents coordinated international action to combat the use of torture and will help to keep international attention centered on this problem.

During the Congress the U.S. delegation participated actively in a working group to amend the draft Declaration as originally circulated by the sponsors. In announcing its support of the Declaration, the United States noted that it had been a cosponsor of the 29th General Assembly resolution that gave impetus to the Congress' action. The United States affirmed the need to develop detailed principles, guidelines, and standards of conduct which, if universally observed, would surely eliminate institutionalized practices of "torture and other cruel, inhuman, or degrading treatment or punishment" and go a long way toward eliminating even isolated instances of cruel and inhuman treatment.

A U.S. suggestion (also supported by the Secretariat and some nongovernmental organizations) that the Standard Minimum Rules for the Treatment of Offenders should be amended to deal explicitly with torture was not pursued because of (1) conceptual and technical objections to



amending the Rules, especially in the time available to the Congress, and (2) a feeling that the Congress would be unable to deal with two approaches to torture in the time at its disposal.

### International Code of Police Ethics

In response to another request of the 29th General Assembly, the Congress took up the question of an international code of police ethics. The Congress had before it a draft code prepared by a UN working group and a second draft code circulated by the Netherlands. Although there was wide acceptance of the idea of a code, there was no agreement over the texts of the two codes that were circulated. The United States joined in a consensus motion to ask the General Assembly to establish a committee of experts to study the question and prepare a new text to be considered by competent UN bodies. (See p. 203 for General Assembly action.)

### International Terrorism

The Congress provided a forum for a useful airing of ideas and attitudes on international terrorism. While no action was taken and the dichotomy of views remained between those who consider terrorism to be simply a criminal act and those who believe that, in some circumstances, it may be politically justifiable, there was some educational value for delegations previously unconcerned with the problem. The United States made the point that the U.S. Government seeks the reduction or elimination of the causes of terrorism at home and abroad, including resolving legitimate grievances that might motivate potential terrorists. However, until such time as the causes of terrorism are eliminated the U.S. Government adheres to the principle that terrorists should be prosecuted for criminally defined acts of terrorism within the country of commission or be extradited to a country having appropriate jurisdiction to try the offender.

### International Exchange of Prisoners, Parolees, and Probationers

Considerable attention at the Congress was given to a Canadian proposal to develop methods to facilitate the international exchange of prisoners and others under the jurisdiction of the criminal justice system. There were informal conversations between the U.S. and Canadian delegations about the possibility of bilateral, and perhaps eventually multilateral, agreements for such exchanges.

## Other Matters

The U.S. delegation to the Congress took the initiative in setting up and providing leadership for several ad hoc groups dealing with the participation of women in the criminal justice system and the problems of juvenile justice. Another subject especially addressed by the United States was compensation of victims of crime.

## DISASTER RELIEF

During 1975 the UN Disaster Relief Office (UNDRO) provided assistance and helped coordinate relief efforts for disasters that included earthquakes in Pakistan and Turkey; drought in Cape Verde; floods in Romania, Egypt, Sudan, Mozambique, Yemen (Aden), Yemen (Sana), Thailand, and India; hurricanes and other wind or rain storms in Fiji, Malagasy Republic, Mauritius, Sierra Leone, and Grenada; the victims of war or civil disturbance in Indochina, Angola, and Portugal (the returnees from Angola); and famine risk in Comoros.

Both ECOSOC and the General Assembly adopted resolutions asking member states, appropriate agencies, and other organizations of the UN system to continue and intensify their special assistance to certain countries suffering acutely from disasters. Resolutions of this kind were adopted by ECOSOC in January with respect to the earthquake in Pakistan; in May with respect to droughts in Somalia, Ethiopia, and the Sudano-Sahelian region; and in July with respect to Ethiopia. In December the General Assembly adopted such resolutions with respect to Ethiopia and the Sudano-Sahelian region. All the resolutions were adopted without vote.

A number of steps were taken in 1975 to strengthen UNDRO along lines called for by a U.S.-initiated resolution that had been adopted by the 29th General Assembly in 1974. That resolution called upon the Secretary General to provide sufficient staff, equipment, and facilities to strengthen UNDRO's capacity to provide an efficient and effective worldwide service of mobilizing and coordinating disaster relief. It decided that the additional funds required for this purpose should come from voluntary contributions during the first 3 years and should be concentrated on strengthening UNDRO's coordinating capability. However, it further said that this should be without prejudice to any improvements that could be made in UNDRO's disaster prevention and pre-disaster planning roles within the resources otherwise available to it. The United States offered to contribute up to \$750,000 to cover substantially all the first year's costs for the strengthened program.



At the request of the Disaster Relief Coordinator, Faruk N. Berkol (Turkey), a three-man panel of experts<sup>15/</sup> met in Geneva in January 1975 to draw up a plan for implementing the resolution. The panel submitted its report on February 10, making a number of recommendations on organization, operations, communications and other equipment, and staffing. All the recommendations focused on the relief coordination aspects of UNDRO's activities. Paralleling this report, the chief of UNDRO's Prevention and Planning Division submitted recommendations for strengthening UNDRO's capability in those fields. The proposed improvements from both reports, which included increasing the staff from 11 to 42, were expected to cost nearly \$3 million more than would be provided by the regular budget for the 3 years, with slightly more than two-thirds going for improved coordination.

In the course of the year pledges were received from a number of countries so that, together with the U.S. pledge, substantially all the necessary funds were provided. A new voluntary trust fund was created to receive contributions, and it was agreed by donor countries that their contributions would not be earmarked but would be used in an integrated program covering all aspects of UNDRO's strengthened activities.

In July 1975 the 59th ECOSOC took note of the UNDRO Coordinator's view that the funds available to him for small, quick emergency donations and for technical assistance in connection with disaster prevention were inadequate. Argentina introduced a draft resolution sponsored by 11 states that, after consultations with donor countries and some revision, was adopted without vote on July 30. The resolution recommended that the General Assembly (1) consider increasing the resources available to UNDRO for emergency assistance to countries stricken by natural disasters and for technical cooperation to prevent and prepare for disasters, and (2) give urgent consideration to determining the proper source or sources for funding these activities, suggesting as a possibility that the voluntary trust fund for strengthening UNDRO could also serve as a framework for contributions for these purposes.

At the 30th General Assembly the Second Committee considered UNDRO at five meetings in November. Bangladesh introduced a draft resolution, sponsored in its final form by 26 states, that was approved by the Committee on November 21 and adopted by the plenary Assembly

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<sup>15/</sup>Russel S. McClure, U.S. Foreign Disaster Relief Coordinator; Jean Douard, former head of the French disaster relief office; and Col. Pacífico M. López de León, head of the Philippine disaster relief office.

on December 9, both without vote. In its most important paragraphs the resolution (1) decided to expand the trust fund so as to (a) provide instant emergency assistance for countries stricken by natural or other disasters, and (b) provide for technical assistance in disaster prevention and preparedness, as an interim measure pending future study of alternative sources of financing; and (2) requested the Secretary General to establish an honorary committee to assist and advise him on fund-raising.

In a complementary resolution, recommended by the Fifth Committee (Administrative and Budgetary), the Assembly established two new subaccounts within the trust fund with separate target figures for the 1976-77 biennium of (1) \$400,000 to augment funds available under the regular budget for emergency assistance (i.e., matching those funds), and (2) \$600,000 for program costs of technical assistance in disaster prevention and pre-disaster planning. The resolution also authorized the Secretary General, subject to the availability of funds, to increase progressively up to a maximum of \$30,000 the amount of emergency assistance per country for any one disaster. The resolution was approved by the Committee on November 21 by a vote of 79 (U.S.) to 9, with no abstentions, and adopted by the Assembly on December 17 by a recorded vote of 117 (U.S.) to 9, with no abstentions.

#### UN HIGH COMMISSIONER FOR REFUGEES

The primary task of the UNHCR<sup>16/</sup> is to provide legal and political protection for refugees and to develop and promote permanent solutions for refugee problems. These tasks are carried out on behalf of (1) refugees falling within the scope of the Statute of the Office as adopted by the General Assembly in 1950<sup>17/</sup> and (2) other refugees whom he assists through his good offices under the authority of various resolutions adopted by the General Assembly.

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<sup>16/</sup> Prince Sadruddin Aga Khan (Iran) is the High Commissioner for Refugees.

<sup>17/</sup> In general, those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, religion, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the Government of their nationality.



An Executive Committee of 31 states,<sup>18/</sup> which meets annually, reviews and supervises the work of the High Commissioner. The U.S. Representative to the 26th session, held in Geneva from October 6-14, 1975, was James M. Wilson, Jr., Coordinator for Humanitarian Affairs, Department of State.

### Legal and Political Protection

International protection of refugees, the High Commissioner's most important function, has as its base the strengthening of the institution of asylum throughout the world with the goal of preventing forcible repatriation of refugees. In addition, this function of the UNHCR seeks to secure for refugees those rights that are essential to their reestablishment in dignity and on a self-supporting basis. Among these are the rights to work, to education, to freedom of religion, to free access to courts, and to social security; the right to leave and return to the country of asylum; and the right to protection under law.

The basic legal implements for protection are the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol which extends the application of the Convention by removing the limitation on eligibility to persons who became refugees "as a result of events occurring before 1951." States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his or her life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as to measures taken for the maintenance of public order.

During 1975 Zaire became a party to the Protocol, and by the end of the year 68 states were parties to one or both treaties. The United States is a party to the Protocol.

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<sup>18/</sup> Algeria, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Lebanon, Malagasy Republic, Netherlands, Nigeria, Norway, Sweden, Switzerland, Tanzania, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia.

## Material Assistance Program

The High Commissioner's program of material assistance, begun in 1955, is directed toward promoting permanent solutions to refugee problems. This aspect of UNHCR work provides emergency relief, facilitates voluntary repatriation, promotes resettlement, and furthers integration into the host societies, utilizing voluntary agencies and host governments for the conduct of operations.

In allocating material assistance resources in response to a host government's request, the UNHCR takes into account the amount of assistance being provided from other sources, prevailing local conditions, and the urgency of the situation.

### Africa

Major changes occurred in the refugee situation in Africa in 1975. When the former Portuguese territories of Guinea-Bissau and Mozambique became independent, many refugees residing in Senegal, Tanzania, Gambia, and Zambia decided to return home. The High Commissioner launched appeals to assist this group in returning.

Early in 1975 some 25,000 new refugees from Ethiopia arrived in the Sudan, and the High Commissioner provided emergency relief for this group from his Emergency Fund. The High Commissioner undertook negotiations with the Sudanese Government for the purpose of obtaining land for these refugees to assist in their permanent settlement.

One of the largest groups in Africa assisted by the High Commissioner was that of Burundi refugees in Tanzania, numbering almost 100,000. Two rural settlements for these refugees in Tanzania were in the development stage. In the Kivu province of Zaire, the UNHCR was providing assistance in health and education for other Burundi refugees, and a rural settlement of Burundi refugees in Rwanda was expected to be completed in 1976.

### Asia

In 1975 the UNHCR was very much involved in providing assistance to the thousands of refugees in Southeast Asia. He was particularly concerned with the problem of some 60-70,000 Indochinese refugees who crossed into Thailand, and he undertook a joint program with the Thai Government for the care and maintenance of this group. Moreover, the High Commissioner assisted in the resettlement of this group in other countries, especially in cases involving family reunions. At the same time the High Commissioner entered into negotiations with Vietnamese authorities for the return of those refugees who wished to repatriate voluntarily.



## Europe

The number of refugees in Europe remained fairly stable in 1975, with no marked increase or decrease. However, economic conditions in the industrialized countries with attendant reduced employment and rising living costs made life more difficult for the refugee population. Local governments and voluntary agencies bore the main expense of assisting these refugees, but these assistance programs were augmented by the resettlement programs carried out by the Intergovernmental Committee for European Migration (ICEM) with substantial support from the U.S. Refugee Program.

## Latin America

The main preoccupation of the UNHCR in Latin America in 1975 was the continuing need to provide assistance to refugees from Chile affected by the events in that country in September 1973. Most of the refugees were in temporary havens in Argentina and Peru. They required substantial assistance in the form of relief and maintenance while efforts continued to settle them more permanently. Several thousand other refugees, mainly from Europe, continued to require assistance in the form of institutional care and subsistence allowances.

## Middle East

Some 17,000 refugees in the Middle East came within the scope of the UNHCR in 1975. (In accordance with a General Assembly decision in 1950, the Palestinian refugees, by far the largest group in the area, are not within the concern of the High Commissioner but rather that of UNRWA -- see p. 12.) There were some 10,000 stateless Armenians and Assyrians who were being assisted in Lebanon until fighting in that country severely handicapped these efforts. Other assisted groups included refugees of European and African origin living in Egypt, Zanzibari Arab refugees in the United Arab Emirates, and smaller groups of various origins in other countries.

## Special Projects

At the request of the General Assembly or the Secretary General, the UNHCR from time to time takes on special projects on behalf of refugees who do not normally come under his mandate. There were a number of these programs in 1975.

The High Commissioner continued his efforts on Cyprus for the care of more than 200,000 refugees created as a result of the hostilities following the coup d'etat in July 1974 that uprooted a large part of the population. This new group of refugees has for

more than a year been forced to live in temporary shelter. Between August 1974 and July 1975 the UNHCR committed over \$14,000,000 for emergency relief aid, health care, food, shelter, education, equipment, and other items for these refugees. The total program requirements were expected to be some \$29 million.

Other special operations financed from contributions outside the regular program included assistance to refugees and displaced persons returning to Guinea-Bissau and Mozambique. These programs were estimated to require more than \$6 million each. By far the largest operations, however, were on behalf of uprooted Indochinese, and the High Commissioner mounted extensive programs in Viet-Nam, before the collapse in the spring of 1975, and elsewhere in Southeast Asia. In the fall of 1975 a special appeal was made for the funds, estimated at \$12.4 million, to meet the needs for the next year of the refugees in Thailand.

Over 70 governments contributed or were expected to contribute to these special programs which were estimated to involve more than \$70 million.

### Finances

In the fall of 1975 the Executive Committee approved a revised regular program budget for 1975 of \$14,117,000 and a target budget for 1976 of \$13,848,000. The United States contributed \$1,471,000 toward the 1975 budget, and 60 other governments also contributed to it. The UNHCR received other contributions from various non-governmental sources. In addition, the UNHCR has an Emergency Fund, authorized by the General Assembly in 1957, to make possible quick action in meeting critical needs in the early stages of a new refugee situation.

The United States was a major supporter of the High Commissioner's special operations in 1975, contributing \$13,500,000 to the Cyprus program (for a total of over \$20,000,000 since the operation started in September 1974), \$5,800,000 to the program in Thailand, and \$1,000,000 to the program for Guinea-Bissau, to mention some of the major projects. The United States also made contributions to other organizations concerned with refugees such as the ICEM and the International Committee of the Red Cross. Finally, there was a substantial program for Indochinese refugees who settled in the United States during 1975.

### General Assembly

The Third Committee of the 30th General Assembly considered the annual report of the UNHCR and related matters at four meetings in mid-November 1975, approving three resolutions by consensus on November 19.



The first resolution, sponsored by 43 states, including the United States, recognized in a preambular paragraph the need for further accessions to the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol, and other relevant international instruments concerned with the legal protection of refugees. In its most important operative paragraphs it (1) requested the High Commissioner to intensify his efforts on behalf of refugees in Africa, notably those returning to their countries following independence; and (2) urged governments to strengthen their support of the UNHCR's humanitarian activities by facilitating the accomplishment of his tasks in the field of international protection, cooperating in the promotion of permanent solutions to the problems faced by his Office, and providing the necessary financial means to attain the objectives of his assistance programs. The resolution was adopted by the plenary Assembly by consensus on December 9.

The second resolution, sponsored by 27 states, called special attention to the High Commissioner's program on behalf of Indochinese displaced persons, endorsed the view of the UNHCR Executive Committee that this work must continue, and urged the international community to strengthen its support of the High Commissioner's efforts in this regard. This resolution was also adopted by the Assembly by consensus on December 9.

The third resolution, sponsored by 14 states, requested the UN Secretary General in consultation with the UNHCR to convene a Conference of Plenipotentiaries early in 1977 to consider and adopt a Convention on Territorial Asylum, decided that the cost for holding the conference should be met by voluntary contributions, and authorized the UNHCR to seek such funds. This resolution was adopted by the General Assembly without a vote on December 9. The proposed convention would be designed to strengthen the legal basis for granting asylum and would complement the 1951 Convention.

#### UNITED NATIONS CHILDREN'S FUND

UNICEF began in 1946 as a temporary body established by the General Assembly to provide emergency assistance to children who were suffering as a result of the conditions created by World War II. In 1953 the General Assembly made the Fund permanent and charged it with giving assistance in the development of permanent child health and welfare services as well as assistance in emergency situations. UNICEF is administered by an Executive Director, Henry R. Labouisse (U.S.). An Executive Board composed of the representatives of

30 states<sup>19/</sup> chosen by ECOSOC directs UNICEF policies and meets annually. In 1975 the Board met at UN Headquarters in New York from May 14 to 30.

### Program Commitments

The Executive Board approved by consensus commitments totalling \$112.2 million for programs. Of this sum, \$98.7 million was for new project aid, mostly for use in 1975 and 1976, although some was for later years; the balance of \$13.5 million was for administrative services for 1976 and a supplementary budget for 1975.

The approved aid provided for projects in the following areas: Africa, \$14.4 million; East Asia and Pakistan, \$31.7 million; South Central Asia, \$8.6 million; Eastern Mediterranean, \$7 million; and the Americas, \$9.2 million. In addition, \$3.4 million was designated for interregional projects and \$24.5 million for program support services for all the above. At the time of the Board meeting, UNICEF aid was going to 109 countries and territories: 45 in Africa, 23 in the Americas, 28 in Asia, 12 in the Eastern Mediterranean, and 1 in Europe.

The Board also "noted" six potential projects, which would cost an additional \$7 million, as being worthy of support should financing through special assistance become available. It also endorsed a number of special assistance programs for which additional special contributions up to \$60 million would be required. In addition, special assistance to Indochina was estimated at between \$15 and \$45 million, with the exact figure dependent upon discussion with the governments concerned regarding appropriate plans. (Current U.S. policy and legislation prohibit direct or indirect aid to Viet-Nam, Laos, and Cambodia. The United States does not contribute to special programs for aid to these countries.)

By the end of 1975 UNICEF estimated that some 48% of its program expenditures were going to maternal and child health care; 27% to nonformal, formal, and prevocational education; 14% to child nutrition; 7% to country planning and project preparation; and 4% to children's social services.

On November 6, 1975, as authorized by the General Assembly in 1973, the first regular UNICEF pledging

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<sup>19/</sup> Members in 1975 were Bulgaria, Canada, Central African Republic, Chile, Colombia, Congo, Cuba, Egypt, Finland, France, Federal Republic of Germany, India, Indonesia, Italy, Japan, Nigeria, Pakistan, Peru, Philippines, Poland, Rwanda, Sweden, Switzerland, Thailand, Turkey, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.



conference was held at UN Headquarters. From pledges made or reasonably anticipated, a total of \$104.3 million was expected by UNICEF for 1976, of which \$68.5 million would be for general resources and \$35.8 million for specific purposes. The United States did not make a specific pledge because the necessary appropriation was still under consideration in the Congress. However, the U.S. Representative on the Executive Board, Michael Scelsi, reiterated at the conference the strong U.S. support for UNICEF and the many varied programs it had undertaken for children around the world.

### Basic Services for Children

In presenting his annual report to the Board, the Executive Director referred to the deteriorating situation of children which had been foreseen in 1974 when the Board adopted a "Declaration of an emergency for children in developing countries as a result of the current economic crisis." The Declaration had subsequently been endorsed by both ECOSOC and the General Assembly.

An analysis made since the 1974 session of the Board showed that there had been a widespread deterioration in development programs and national services affecting children. Trends on three continents showed such ill effects as interruption to construction of schools and health centers, increased mortality as a result of malnutrition and protein deficiency, trebling of prices of protein-rich foods, unpaid salaries of teachers and health workers, and scarcities of drugs and vaccines in rural clinics. The Executive Director considered the situation an aggravation of the "quiet emergency to which UNICEF had called attention for some years. He was convinced, however, that the trend could be reversed, and that the world could meet the most essential needs of its children at initial capital costs that the world as a whole could afford, and at recurring costs which the countries directly affected could themselves bear after the lapse of some time. He urged that developing countries be encouraged to commit themselves to developing and supporting the type of basic services best suited for their children, and that those countries or organizations in a position to do so be encouraged to direct significantly more resources to helping in the expansion of such services. He emphasized that such basic services to children as those in the interrelated fields of food and nutrition, clean water, health measures, family planning, basic education, and supporting services for mothers were an indispensable link to progress.

The Board adopted, with U.S. support, a resolution incorporating these views of the Executive Director and appealing to the General Assembly to consider at its

seventh special session the situation of children and the necessary measures for meeting their needs. The Executive Board also approved placing more emphasis on the nutrition of children in vulnerable groups as a long-term component of basic services, and it endorsed the continuing role of supplying food and nutrition assistance in emergency situations. This decision was based on the recommendations of a study prepared under the direction of Professor Jean Mayer of Harvard University and on recommendations of the Executive Director, which took into account the resolutions adopted by the 1974 World Food Conference.

On July 30 ECOSOC adopted without vote a resolution requesting the preparatory committee for the seventh special session to recommend appropriate measures for meeting the needs of children and appealing to all governments to increase their contributions to UNICEF.

In the omnibus resolution adopted during its special session, the Assembly made only passing reference to basic services, by calling on WHO and UNICEF to intensify the international effort to improve health conditions in developing countries by providing primary health services. However, it was a different situation at the 30th regular session. On November 28, the General Assembly adopted without a vote a resolution entitled "Activities of the United Nations Children's Fund to expand basic services for children in developing countries." The resolution had been introduced in the Second Committee by the Philippines and sponsored in its final form by 35 countries, including the United States. The resolution endorsed the provision of basic services as proposed by the UNICEF Executive Board in May, urged the developed countries to provide assistance at a level more commensurate with needs, and invited the Board to consider the matter in depth at its next session and to submit a report through ECOSOC to the Assembly at its 31st session.

#### International Year of the Child

In 1974 ECOSOC had asked the UNICEF Board to consider a proposal for holding an international year of the child in order to publicize the plight of children around the world. The Board arrived at no decision on the question, however, and decided to transmit to ECOSOC the essence of the views of the Executive Director and Board members. The former believed that to be successful an international year would require wide support, especially from governments, and adequate preparation and financing. The Board was divided, but delegates generally agreed on the necessity for the full support of a wide spectrum of governments. The United States thought that the time was not opportune for an international observance. It believed that all governments



should give priority to development activities for the benefit of children, but that past experience with similar special years indicated that they had not always elicited adequate financial support. Furthermore, the United States believed that there was already widespread awareness of the needs of children.

On July 30 ECOSOC adopted without vote a resolution requesting the Secretary General, in cooperation with organizations of the UN system and interested nongovernmental organizations, to submit a report on the measures necessary for ensuring the adequate preparation, support, and financing of an international year of the child, preferably the year 1979, to coincide with the 20th anniversary of the Declaration of the Rights of the Child. On November 28, the 30th General Assembly adopted without vote a resolution endorsing the ECOSOC decision.

#### Administrative Matters

A major concern of the Board at its May meeting was determining how UNICEF might enlarge and improve its own capacity to respond to new demands. A management survey, prepared by the Scandinavian Institutes for Administrative Research at the Board's request, was delivered at the meeting. The Board endorsed the survey as providing a set of general principles along which UNICEF should work and endorsed the Executive Director's plans for follow-up action over the next 3 years. The recommendations for strengthening the organization included more delegation of responsibility to field offices and wider use of their experience; more emphasis on personnel management, career development, staff training, and the development of professional skills; and more attention to internal coordination at headquarters.

While considering the management survey, a number of states called attention to the small number of women in professional posts, especially at the higher level, within the UNICEF organization and suggested that greater efforts be made to improve the situation. The Board therefore adopted a resolution, strongly supported by the United States, that requested the Executive Director to make proposals to bring about the increased participation of qualified women, and urged governments to consider the inclusion of more women among candidates for UNICEF posts.

## SOCIAL DEVELOPMENT

The Commission for Social Development, a 32-member<sup>20/</sup> functional commission of ECOSOC, held its 24th session at UN Headquarters, January 6-24, 1975. The most significant discussions were on (1) the world social situation and the mid-term review and appraisal of the International Development Strategy for the Second UN Development Decade, which the Commission considered together; (2) rehabilitation of disabled persons; (3) migrant workers; (4) a unified approach to development analysis and planning and the closely related subject of the development of social indicators; and (5) popular participation and its practical implications for development.

### World Social Situation and Mid-Term Review and Appraisal

Consideration of these two items constituted the most important concern of the Commission in 1975. The basic document was the 1974 Report on the World Social Situation (a document issued by the UN Secretariat at 4-year intervals) which showed markedly different rates of progress in this area among countries. The report concluded that there was a need (1) for an explicit commitment to the International Development Strategy and to the principles of the 1969 Declaration on Social Progress and Development; (2) to improve the social policy-making process with the attendant setting of specific targets and objectives; and (3) to establish targets at the national level to be achieved in regard to food, population, and environment.

The majority of the delegates spoke favorably of the report. The U.S. Representative, Jean Picker, expressed the hope that the report would encourage countries to recognize the importance of social development during the mid-term review of the International Development Strategy. In discussing various aspects of the report, Mrs. Picker commented specifically on the sections concerned with population, food and agriculture, and women. With respect to the latter, Mrs. Picker declared that:

" . . . women constitute more than half of the world's population and human resources. No country can afford to lose the contribution which they can make to economic and social progress."

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<sup>20/</sup> Members in 1975 were Austria, Belgium, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Dominican Republic, Egypt, Finland, France, Gabon, India, Indonesia, Iraq, Italy, Ivory Coast, Japan, Mali, Mauritania, Mexico, New Zealand, Nigeria, Romania, Sudan, Thailand, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, and Zaire.



She urged that all governments broaden the participation of women at all levels of public life.

The Commission concluded its debate by approving a lengthy "Statement on the world social situation in the first half of the Second United Nations Development Decade," and recommending that ECOSOC (1) endorse the Statement and (2) reaffirm the Commission's mandate to examine the fundamental problems of social development with a view to playing a role in the review and appraisal process.

The Statement pointed out that, in some respects, the situation of less developed countries had worsened. It called for the establishment of new goals and policies in order to integrate the different elements of development--social, economic, cultural, and humanitarian. Such a revised development strategy would seek to assure participation of all elements of the population in the development process. It called upon all countries in a position to do so to provide aid for poverty-stricken countries and concluded with an exhortation to all to implement the unified approach to development.

The Statement also included, however, a number of references to such issues as disarmament, colonialism, imperialism, and national sovereignty that the United States considered inappropriate to the question of social development. In addition, it cited the Charter of Economic Rights and Duties of States (whose adoption by the 29th General Assembly the United States had opposed) as a guideline for national and international action. By a vote of 15 to 7 (U.S.), with 2 abstentions, the Commission retained the reference to the Charter, and the resolution as a whole was adopted by a vote of 22 to 1 (U.S.), with no abstentions.

On May 6, the 58th ECOSOC adopted a resolution (1) reaffirming that the Commission should concentrate its activities on the examination of the fundamental problems of social development, and (2) endorsing the views set forth in the Statement. The United States opposed the second paragraph, and abstained on the resolution as a whole which was adopted by a vote of 32 to 0, with 1 abstention.

Although the Secretary General's report on the world social situation was on the agenda of the 30th General Assembly, the Third Committee had insufficient time to consider it. On the Committee's recommendation, the Assembly on December 15 without a vote deferred consideration of the report until the 31st session.

#### Rehabilitation of Disabled Persons

The issue of rehabilitating disabled persons evoked much interest in the Commission and the speakers agreed

that the United Nations could play a useful role within the constraints imposed by limited funds. They also agreed that assistance for the disabled should be expanded, especially at the regional level, with special emphasis on preventive measures, increased technical assistance, and the inclusion of services for the disabled in national planning and in training of personnel. Colombia introduced for adoption by ECOSOC a resolution, sponsored by 11 states including the United States, that (1) drew the attention of governments to the increasing magnitude of the problem of disabled persons throughout the world; (2) requested governments (a) to take legislative measures on behalf of the disabled, (b) to identify and evaluate existing services, including those provided by nongovernmental organizations, (c) to incorporate in their development plans measures for aiding the disabled, and (d) to try to assure for all categories of disabled persons care, education, training, vocational guidance, and suitable work as well as social security benefits; (3) requested the Secretary General to undertake studies of special problems in this field; and (4) requested the Secretariat, the UNDP, and other UN organizations and nongovernmental organizations to assist governments, especially those of the lesser developed countries, in setting up rehabilitation programs.

The resolution was approved by the Commission without vote and subsequently adopted by ECOSOC on May 6, also without vote.

The Third Committee of the 30th General Assembly also considered the subject, and a draft declaration on the rights of disabled persons, sponsored by 48 countries, including the United States, was introduced by Belgium on November 3. After some revision, the Declaration was approved by the Committee without a vote on November 11 and adopted by the Assembly in plenary session, also without a vote, on December 9. The Declaration enumerated various rights of the disabled, including the same civil and political rights as other human beings; measures to enable them to become as self-reliant as possible; the right to medical, psychological, and functional training; economic and social security; and protection against exploitation. It also called for national and international action to ensure that the Declaration would be used as a common basis and frame of reference for the protection of the rights of the disabled.

### Migrant Workers

In considering this topic the Commission had before it a report by the Secretary General on the welfare of migrant workers and their families and a report by the ILO on its action on behalf of foreign migrant workers



and their families. In the debate, some delegations focused on the heavy burden that large numbers of migrant workers impose on the social services of the receiving country, while other delegations thought that the migrants and lower-income groups in the receiving country shared some of the same difficulties and that social measures for both should be integrated.

Italy sponsored a resolution that, in its final form, was approved by the Commission without vote. In one of its preambular paragraphs it expressed awareness of the problems migratory groups can cause, and in its operative paragraphs it (1) emphasized the necessity for action to improve the lot of migrant workers; (2) called for their equal treatment; and (3) asked the Secretary General, in cooperation with the ILO, UNESCO, and WHO to prepare a document incorporating the principles concerning migratory workers and their families already embodied in international instruments and to submit it to the Commission at its 26th session (1979) so that the Commission could assess the main principles applicable and make the necessary recommendations. ECOSOC subsequently adopted the resolution without vote on May 6.

A related resolution was adopted by the 30th General Assembly during its consideration of human rights matters. On November 13, Mexico introduced in the Third Committee a draft resolution, sponsored by six states, that (1) called on various UN organs to continue to devote their attention to measures to ensure the human rights and dignity of all migrant workers; (2) requested UN bodies concerned to utilize the term "non-documented or irregular migrant workers" to define those workers who illegally enter another country; and (3) appealed to member states to respect the human rights of all migrant workers and to allow diplomatic and consular agents to fulfill their functions with respect to all migrant workers. The Third Committee approved the resolution on November 14 by a vote of 111 (U.S.) to 0, with 3 abstentions, and the Assembly adopted it on December 9 by a vote of 130 (U.S.) to 0, with 2 abstentions.

#### Unified Approach to Development Analysis and Planning

Although it did not approve any resolutions, the Commission had a useful discussion of the importance of integrating social and economic planning for development and of the value of social indicators for measuring progress. For its consideration, it had before it a report on such a unified approach that

had been prepared by the UN Research Institute for Social Development.<sup>21/</sup>

In commenting on his report, the Institute's Director, Donald McGranahan, noted that the great diversity among countries precluded universal solutions but said that diagnosis could determine which developmental instruments and measures were suitable under given circumstances. Points of view in the debate varied from enthusiastic support to doubts about the value of a unified approach.

The U.S. Representative described the unified approach as a methodology to assist countries in defining and achieving their development goals. Similarly, social indicators were not an end in themselves but were tools for measuring progress. She described the agenda items on the world social situation, on popular participation, on the unified approach, and on social indicators as interrelated components of a single theme--social progress, and how to achieve it.

Although there was no generally accepted definition of a social indicator, the debate produced a useful working definition: "a social statistic representing a more complete and precise answer to socially relevant questions than could be obtained by mere description." Socially relevant questions included degrees of health, levels of education, housing conditions, levels of wealth and poverty, distribution of wealth, and identification of areas of greatest social deprivation. The Commission agreed that work on social indicators should proceed simultaneously with the development of basic social data.

At the 30th General Assembly, the German Democratic Republic introduced in the Second Committee a draft resolution, sponsored by 14 states, that, inter alia, (1) took note of the UNRISD report on a unified approach to development analysis and planning; (2) regarded a unified approach as a means for the attainment of balanced social, economic, and human development; (3) endorsed the application of a unified approach by the regional economic commissions and other concerned UN bodies; and (4) requested the Secretary General to continue to study the question, to prepare a report on practical application by governments, and to submit this report to the Commission for Social Development in 1977. The Second Committee approved the resolution without vote on November 21 and the Assembly adopted it without vote on November 28.

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<sup>21/</sup> UNRISD undertakes research into the interrelationship of economic and social development and methods of social planning. Financed by voluntary contributions, UNRISD started operations in 1964.



Popular Participation and its Practical  
Implications for Development

While there was general agreement that popular participation entailed a just distribution of the benefits of development, contribution by all members of society to development, and their effective involvement in decision-making, there were widely divergent opinions on the conditions and techniques for achieving it. The Commission eventually approved without vote a four-power draft resolution introduced by Nigeria that incorporated suggestions of delegations from all areas. The resolution, inter alia, (1) recommended that governments (a) adopt popular participation as a basic policy measure in national development strategy, (b) encourage the widest possible participation of individuals and nongovernmental organizations, such as trade unions and youth and women's organizations, in the development process in setting goals, formulating policies, and implementing plans, (c) include popular participation as an integral element in local, regional, and national development plans and programs, and (d) encourage organized training programs to impart to government officials and local leaders knowledge and skills in promoting and sustaining effective participation at all levels; (2) recommended that various international agencies involved in development provide technical assistance to help countries achieve popular participation; and (3) requested the Secretary General, within available resources, to give priority to (a) research and study that will lead to development of a viable concept of and policy measures for popular participation, (b) strengthen competence of the Secretariat in providing technical support to projects for international cooperation, and (c) promoting the exchange of knowledge and experience among countries in regard to innovative programs and practices in promoting popular participation in development.

ECOSOC adopted the resolution at its 58th session on May 6, without a vote.

## SCIENCE, TECHNOLOGY, AND RESEARCH

### UN ENVIRONMENT PROGRAM

#### UNEP Governing Council

The third session of the 58-member Governing Council<sup>22/</sup> was held at UNEP's headquarters in Nairobi, Kenya, April 17-May 2, 1975. Senator Helena Z. Benitez (Philippines) was elected President of the session.

The overall atmosphere of the session, which reviewed the progress made in the program during UNEP's first 3 years, was one of accommodation and cooperation with an almost complete absence of politically contentious debate.

The general debate on the status of the program revealed continued endorsement of the coordinating and catalytic role of UNEP. A general feeling was manifested, however, that UNEP should concentrate its efforts and resources on a relatively small number of selected and urgent problems, since dividing UNEP's resources among too many projects would reduce the overall impact of the program. This feeling was reflected in a consensus decision on May 2 that, in general, the resources of the Environment Fund:

"... should be concentrated in support of large projects, each such project covering to the extent possible a particular activity within a program framework for the medium-term; this should not, however, preclude support of small projects where the Executive Director considers these to be of a pre-programming or methodological character, or of particular significance, especially in support of small institutions in the developing countries."

Another theme emphasized in the same decision concerned the need for continuous evaluation of UNEP's projects

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<sup>22/</sup> Argentina, Australia, Brazil, Burundi, Canada, Central African Republic, Chile, China, Colombia, Czechoslovakia, Egypt, Finland, France, Gabon, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Lebanon, Libya, Malagasy Republic, Malaysia, Mexico, Morocco, Netherlands, Nicaragua, Nigeria, Pakistan, Panama, Philippines, Poland, Romania, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syria, Tanzania, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.



during the implementation phase and, upon completion, of the results achieved and of the follow-up actions needed. This led the Council to request the Executive Director to prepare a methodology for the implementation of an evaluation procedure.

The United States urged that greater attention be given to the development of all aspects of the Earth-watch program, an objective which found its place in a decision that, inter alia, requested the Executive Director to give high priority to the consolidated development and improvement of Earthwatch, which consists of research, evaluation, monitoring, and information activities. The Council reaffirmed the priority action areas determined at its first session in 1973 and refined at its second session in 1974. It also authorized the establishment of a clearinghouse for technical assistance in cooperation with governments, UNDP, and the UN regional commissions; the establishment of a program activity center for the International Register of Potentially Toxic Chemicals; and the establishment of a limited number of demonstration centers for the development of techniques for harnessing energy from locally available renewable resources.

Many participants in the general debate emphasized the growing importance of UNEP assistance to the developing countries, particularly in the fields of environmental education and training. The United States, while endorsing technical assistance as one of the primary objectives of UNEP, nevertheless warned that an over-emphasis on development issues would undermine UNEP's urgent assignment to deal intelligently and effectively with global and regional environmental problems threatening mankind.

"Human settlements" remains one of the most important areas of UNEP activity, and the Council reiterated its support for Habitat, the UN Conference on Human Settlements, to take place in Vancouver, Canada, in 1976, by approving a further allocation of \$1.5 million from the Environment Fund for the support of the audiovisual aspects of the Conference.

The Council approved the program and plan of action for the UN Habitat and Human Settlements Foundation, which had been established as of January 1, 1975, by the 29th General Assembly on the recommendation of the Governing Council. The Council urged the Executive Director to take steps to bring the Foundation to a stage of active operations as soon as possible. The United States, while joining in this decision, urged continued efforts at rationalizing the human settlements activities undertaken by various bodies within the United Nations. The failure of the General Assembly, in the U.S. view, to deal realistically with this issue had led the United States to cast the only vote in 1974

against the establishment of the Foundation. The ultimate success of the Foundation, which was launched with a one-time grant from the Environment Fund of \$4 million over 4 years, will depend on voluntary contributions, none of which were forthcoming in 1975, although several countries indicated that they were considering contributions. (See below, pp. 183 and 185 for more on Habitat and housing.)

In a further significant action, the Council responded to a request addressed to it by the 28th General Assembly with respect to measures for ensuring cooperation in the field of the environment concerning natural resources shared by two or more states. By a rollcall vote of 28 to 1 (Brazil), with 20 abstentions (U.S.), the Council decided to request the Executive Director to establish an intergovernmental group of experts to prepare draft principles of conduct for the guidance of states in the conservation and harmonious exploitation of natural resources shared by two or more states. This decision was initiated by Argentina and cosponsored by 14 other states. Debate followed lines that had been well developed in previous discussions of this issue in UNEP and in other UN bodies. The rollcall vote was requested by Brazil, which, in explaining its negative vote, stated that the environmental aspects of the question of shared natural resources could not be disassociated from its political and economic ones and therefore UNEP should not be the body solely charged with drafting principles on the subject. Brazil believed that the International Law Commission should be assigned this task, taking into account contributions by other bodies in the UN system, including UNEP. Following its practice in previous UN votes on this subject, the United States abstained in order not to take sides between the two principal protagonists, Argentina and Brazil, although the United States was not opposed to the decision on substantive grounds.

The Council adopted by consensus two U.S. initiatives relating to the priority area of oceans. The first decided that the ocean-monitoring program should (1) include baseline stations, (2) assist in the expansion of the Integrated Global Ocean Station System to include other pollutants in addition to petroleum hydrocarbons (see also UNESCO, p. 246), and (3) support education and training efforts to enhance the participation of developing nations in ocean activities. The second requested the Executive Director to support research on marine mammal populations and, in particular, on whales and small cetaceans. The Council also adopted, by consensus, a decision urging the Law of the Sea Conference (see Part I) to attach the highest priority to adopting effective provisions for the protection of the marine environment.

In a decision relating to international efforts to combat desertification, the Committee approved the



preparations so far made by the Executive Director for a conference on desertification scheduled for 1977 and authorized a commitment from the Environment Fund not to exceed \$500,000 for conference preparations during 1975. In the closely related subject area of water resources, the Council without a vote requested the Executive Director to continue his cooperation in the preparations for the UN Water Conference to be held in Argentina in 1977. (See also p. 188.)

With regard to the Fund program, the Council approved activities at a level of \$27.8 million in 1976 and \$32.5 million in 1977. It requested the Executive Director to review with governments their voluntary contributions for the years 1977-79, a period during which the Governing Council will face decisions regarding the level of the program for years extending beyond the initial 5-year period.

As the result of new pledges announced during the Governing Council session, total pledges to the Environment Fund rose to approximately \$110 million, surpassing the target of \$100 million set for the 5 years, 1973-77. Contributions actually paid into the Fund totalled slightly over \$41 million by the end of 1975. This included contributions of \$12.5 million from the United States over the past 3 years.

### General Assembly

The Second Committee of the 30th General Assembly considered UNEP at 10 meetings between October 20 and November 28; 60 states took part in the debate, which was marked by almost unanimous agreement on the importance of UNEP and the activities that it was undertaking. As at the Governing Council session, there was a strong emphasis throughout the debate that UNEP should concentrate its activities in a few priority areas, although the compendium of priorities identified during this discussion covered a wide and diverse range of activities. Six resolutions relating to environment were approved, five during the Committee's consideration of UNEP and one during its consideration of the report of ECOSOC.

In the first resolution, which had been recommended by the UNEP Governing Council on May 2, the Assembly invited all states, organizations in the UN system, and appropriate nongovernmental organizations to mobilize public opinion in support of the UN Habitat and Human Settlements Foundation. The resolution was adopted without vote by the Committee on November 7 and by the plenary Assembly on December 9.

Libya introduced a resolution, ultimately sponsored by six African and Asian states, dealing with the problem of land mines left from military action in

North Africa during World War II. The resolution condemned the "colonial powers" which had neglected to remove "those material remnants" of wars, considered them responsible for any damage suffered by the countries in which such mines were placed, called for action to remove such "material remnants" and for compensation to the countries in which they were placed, and requested the Governing Council of UNEP to undertake a study of the problem. The resolution was approved by a vote of 70 to 0, with 22 abstentions (U.S.), in the Second Committee on November 24 and adopted by the Assembly on December 9 by a vote of 100 to 0, with 21 abstentions (U.S.). The United States abstained because in its view the resolution contained incorrect statements with respect to international law and unacceptable implications. The United States further questioned the relevance of this subject to UNEP's responsibilities.

Sweden introduced a draft resolution, sponsored by 13 states, that urged further action to increase the acceptance of a number of global and regional conventions and protocols in the field of environment that have been negotiated since the 1972 Stockholm Conference. The resolution was widely supported and adopted without vote by the Committee on November 24 and the full Assembly on December 9.

Kenya introduced a resolution, ultimately sponsored by 23 states, that endorsed the report of the Governing Council and was noncontroversial, except for reference to the applicability of the "new international economic order" and the Charter of Economic Rights and Duties of States. As a result of informal negotiations, these references were finally rendered in language that permitted the adoption of the resolution without a vote either in the Committee on November 25 or the plenary Assembly on December 9. On November 25, however, the United States reaffirmed in the Second Committee that its position with regard to NIEO and CERDS remained unchanged.

On November 20 Upper Volta introduced a resolution sponsored by 28 states that inter alia requested UNEP to provide the financial and technical assistance necessary to insure the satisfactory preparation for the UN Conference on Desertification to be held in 1977, and requested the UNEP Governing Council to act as the preparatory body for the conference. The United States warmly endorsed this resolution, which was approved without a vote the same day and adopted by the Assembly on December 15.

(The last resolution, relating to preparations for the Habitat Conference, is discussed in the next section.)

Finally, on December 9 the General Assembly approved without objection the Secretary General's nomination of



Mostafa K. Tolba (Egypt) to serve as Executive Director of UNEP in 1976, completing the term of Maurice Strong, who resigned to return to a senior position in the Canadian Government.

### Preparations for Habitat

There were intensive UN and U.S. preparations during 1975 for Habitat, the UN Conference on Human Settlements, scheduled for Vancouver, Canada, May 31-June 11, 1976. The Conference is a major UN event, following the tradition and pattern of earlier UN conferences on the environment, population, food, and women. However, unlike those conferences, it was widely agreed that Habitat should concentrate on national action. Possible international activities should be designed chiefly to strengthen the national potential to improve human settlements, a term briefly defined as the manmade environment. Ever since the decision in 1972 to hold the Conference, Habitat was expected to be built around an exchange of ideas and experiences on solutions to human settlement problems. In that connection, a large-scale audiovisual program was planned, a unique element in so large a UN event.

Preparations for U.S. participation in Habitat were assigned to a special office established in the Department of State and headed by Stanley D. Schiff as Coordinator of U.S. Participation in the UN Habitat Conference. A Habitat Interagency Working Group, representing 14 Government agencies, worked with the Coordinator's office. The Department of Housing and Urban Development was especially active in Conference preparations. In addition, an Advisory Committee for U.S. Participation was formed which included representatives from 35 public interest organizations.

UN intergovernmental preparations were carried out in a series of meetings which succeeded in moving the process from an early exchange on broad issues to statements on specific agenda items and final approval of an agenda and conference organization.

In 1973 the 28th General Assembly had established a 56-nation Habitat Preparatory Committee; the United States was a member. At the Committee's first full session, in New York, January 15-24, 1975, Habitat's Secretary General, Enrique Peñalosa of Colombia, reported on the work of the conference secretariat and the Committee considered, among other subjects, a timetable of events leading up to Vancouver. Most importantly, members discussed a substantive framework for Habitat and left with the secretariat the job of drafting an agenda.

The United States also participated, as a member or observer, in four meetings convened by the regional economic commissions to assist in the Habitat preparatory process. ESCAP and ECWA met jointly in Tehran, June 14-19; ECA met in Cairo, June 21-26; ECE met in Geneva, June 30-July 1; and ECLA met in Caracas, June 30-July 4. The participants exchanged views on the scope of the Habitat Conference and on possible post-conference activities and made a large number of recommendations. Noteworthy was the nearly unanimous view that future UN programs related to human settlements should be carried out whenever possible at the regional level.

A serious political issue intruded into the generally professional discussions, however, when the ESCAP-ECWA meeting adopted by majority vote a resolution proposed by Iraq calling for the exclusion of Israel from the Habitat Conference because it was responsible for the involuntary migration of 2 million Palestinian Arabs and the destruction of their houses and villages. The United States strongly opposed the resolution because it is committed to the position of principle that no member of the United Nations should be excluded from a conference which is otherwise open to all members. Nevertheless, the resolution was adopted by a rollcall vote of 16 to 5 (U.S.), with 5 abstentions. At the subsequent Cairo meeting the ECA states recommended that Israel, Rhodesia, and South Africa be excluded from the Conference because of their actions "in defiance of UN resolutions" and directly contrary to the spirit of Habitat. Both the European and Latin American states, however, adopted statements declaring that all countries should participate actively in the Conference, and the question of exclusion was not pursued further during the year.

The Preparatory Committee resumed its first session in New York, August 25-29, to consider the draft rules of procedure, the Conference's structure, and the agenda. No agreement was reached on the rules of procedure, but the Committee approved drafts covering both of the other subjects. The approved draft agenda was the culmination of a long process seeking to define the Conference's scope and focus. At its core were items related to three basic documents that will be considered in Vancouver: (1) a declaration of principles; (2) proposals for international action; and (3) recommendations for national action. The latter will cover six broad subjects--settlement policies and strategies; settlement planning; shelter, infrastructure, and services; land; public participation; and institutions and management.

Following the resumed session, ad hoc intergovernmental working groups established by the Preparatory Committee met in Geneva, September 22-26, to consider further the declaration of principles and international cooperation. The latter included proposed future



international programs and UN institutional arrangements related to human settlements. The groups, in which the United States participated, requested the Habitat secretariat to prepare revised drafts for further consideration at the Preparatory Committee meeting scheduled for January 1976.

The Second Committee of the 30th General Assembly discussed preparations for Habitat during its consideration of the report of the UNEP Governing Council. Canada introduced a draft resolution, sponsored by 20 states, that approved the Habitat agenda and Conference structure as recommended by the Preparatory Committee and requested the UN Secretary General to invite all states and certain organizations, including specified national liberation groups, to participate in the Conference. Egypt introduced an amendment, sponsored by 25 states, that requested the Secretary General to ensure that the necessary arrangements were made for the effective participation in the Conference of the liberation groups, "including the requisite financial provisions for travel expenses, per diem allowances, and audiovisual presentations." This amendment was adopted by a vote of 79 to 2 (U.S.), with 17 abstentions, after which the resolution as amended was approved without a vote. Ambassador Myerson explained that the United States had voted against the amendment because it believed that representatives of national liberation movements should be invited only for such time as was necessary for their participation on items directly relevant to them. Further, the United States questioned the appropriateness of using funds from the UN budget to pay the participation costs for the national liberation movements.

The General Assembly adopted the resolution in plenary session without a vote on December 9.

#### Committee for Housing, Building, and Planning

The 27-member Committee on Housing, Building, and Planning--a standing committee of ECOSOC--held its ninth biennial session in Geneva, October 13-24, 1975. Nineteen of the member states attended.<sup>23/</sup> The session was dominated by a preoccupation with the upcoming Habitat Conference and possible actions emanating from it, but the Committee also reviewed such subjects as the situation in the field of human settlements at the mid-point of the Second UN Development Decade, the

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<sup>23/</sup> Members present were Austria, Brazil, Bulgaria, Canada, Czechoslovakia, Egypt, Finland, France, Guatemala, India, Indonesia, Iran, Nigeria, Spain, Thailand, Uganda, United Kingdom, United States, and Venezuela. Absent were Cameroon, Gabon, Iraq, Morocco, Panama, Togo, Trinidad and Tobago, and U.S.S.R.

research and development efforts of the Center for Housing, Building, and Planning (a part of the UN Secretariat), and coordination and cooperation in the field of human settlements. The 1974 decision of the General Assembly to establish the UN Habitat and Human Settlements Foundation created overlapping mandates and areas of operation between the Foundation and the already existing Center, and the earlier decision by ECOSOC to postpone until after Habitat any further rationalization of the responsibilities of the Foundation and the Center constrained the members of the Committee from taking the kind of action that normally would be considered appropriate. As a result, the Committee approved, without a vote, only one resolution that it recommended for adoption by ECOSOC. The resolution (1) affirmed the existing and distinctive role in the UN system of the Center for Housing, Building, and Planning; (2) expressed the desire that resources be increased for UN work for the improvement of human settlements; and (3) decided to give careful attention to the existing mandate and role of the Committee and the Center in seeking solutions to the problems of human settlements.

#### EFFECTS OF ATOMIC RADIATION

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) <sup>24/</sup> was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on man and his environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear weapons tests, nuclear power plants, and peaceful nuclear explosions) environmental radiation, and medical and occupational exposures.

Dr. Richard H. Chamberlain, Chairman of the Department of Radiology, University of Pennsylvania, represented the United States at UNSCEAR's 24th session, held in New York, September 15-19, 1975. During that session the Committee discussed, on the basis of reviews prepared in the Secretariat, recent information on genetic and somatic effects of radiation, including experimental results and risk assessments in man; population exposures from natural radiation sources, from environmental contamination due to nuclear explosions, and from power production by nuclear fission; occupational exposure to radiation; and medical irradiation. The Committee made detailed decisions regarding the treatment of these subjects in the comprehensive report that it had decided in 1974 it would submit to the

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<sup>24/</sup> The 20 members in 1975 were Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and United States.



General Assembly in 1977, and it gave the Secretariat instructions for the preparation of working drafts.

After a brief discussion on October 31 and November 3, the Special Political Committee of the 30th General Assembly approved without vote a draft resolution that (1) noted with appreciation UNSCEAR's report; (2) requested UNSCEAR to continue its work, including its important coordination activities, to increase knowledge of the levels and effects of atomic radiation from all sources; (3) expressed appreciation for the assistance rendered UNSCEAR by the IAEA, specialized agencies, and nongovernmental organizations concerned; (4) noted UNSCEAR's intention to hold its next session in September 1976 at Vienna; and (5) requested the Secretary General to continue providing the assistance necessary for the conduct of UNSCEAR's work and the dissemination of its findings to the public. The General Assembly adopted the resolution without objection on November 28, 1975.

#### COMMITTEE ON NATURAL RESOURCES

The fourth session of the UN Committee on Natural Resources<sup>25/</sup> (a body which normally meets every 2 years and is subsidiary to ECOSOC) was held in Tokyo, March 24-April 4, 1975; Senjin Tsuruoka of Japan was elected chairman. It was the first session in which the United States participated as a full member of the Committee. The U.S. delegation was headed by Ambassador Clarence Clyde Ferguson, Jr.

In general, the Committee's fourth session took place in an atmosphere of harmony and cooperation. There was diminished preoccupation with political issues, and some progress was made toward undertaking serious program evaluation, coordination, and planning.

The Committee adopted by consensus a resolution appealing to all countries, particularly the developed countries, to contribute generously to the UN Revolving Fund for Natural Resources Exploration and requesting the Administrator of the UNDP to intensify his efforts to increase the financial resources of the Fund. (In July, ECOSOC adopted a similar resolution, requesting

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<sup>25/</sup> The 53 members in 1975 were Algeria, Argentina, Australia, Austria, Bolivia, Brazil, Canada, Chile, Egypt, France, Gabon, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Iceland, India, Indonesia, Iran, Iraq, Italy, Jamaica, Japan, Kenya, Kuwait, Libya, Malawi, Malaysia, Mali, Netherlands, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Romania, Rwanda, Sudan, Sweden, Syria, Trinidad and Tobago, Turkey, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, and Zaire. There was one vacancy.

the UNDP Governing Council to reconsider the level of contributions to the Fund in order to allow the Fund to assist exploration up to and including the stage of feasibility studies.)

The Committee also approved, for adoption by ECOSOC, a number of constructive resolutions on such subjects as problems relating to the supply and demand of natural resources and the UN Water Conference. With regard to the latter, which was scheduled for Argentina in 1977, the Committee recommended that it serve as the preparatory committee for the Conference and hold intersessional meetings for this purpose with the first scheduled for early in 1976.

In the area of program coordination, the Committee approved a resolution urging all UN organs and agencies to cooperate to prepare an expanded Plan of Action for the development of natural resources and to assist the Secretary General in preparing reports on ongoing and planned programs, particularly those of a global nature, for submission to each regular session of the Committee. The resolution also recommended that the Secretary General, in cooperation with relevant UN agencies, particularly the UNDP, undertake the necessary arrangements to provide better coordination and harmonization of operational activities in the natural resources field at the country level, and report on progress at the next session of the Committee. The United States strongly supported this resolution, and helped to ensure that the thrust and content of its recommendations were reflected in the agenda adopted for the next regular session of the Committee.

All of these resolutions were adopted without vote by ECOSOC at its 59th session in July.

One proposed resolution, however, was not generally acceptable. That resolution, concerning permanent sovereignty over natural resources, was sponsored in the Committee by the group of developing-state members. Among other provisions, the resolution (1) reaffirmed the inalienable rights of states to exercise full permanent sovereignty over all their wealth, natural resources, and economic activities, and (2) reaffirmed that the application of the principle of nationalization implied that each state was entitled to determine the amount of possible compensation and the mode of payment, and that any disputes should be settled in accordance with the national legislation of the state carrying out such measures. The objections of the United States and 11 other countries were noted for the record, the chairman ruling that although there was no consensus for the resolution, there was "a discernible majority for adoption." When the report of the Committee on Natural Resources came before ECOSOC,



the United States requested a vote on this resolution and it was adopted on July 25 by a vote of 26 to 5 (U.S.), with 5 abstentions.

The 30th General Assembly also adopted two resolutions related to the subject of natural resources. Both were recommended by the Assembly's Second Committee during its consideration of the report of ECOSOC. The first, sponsored by 30 states and introduced on December 2 by Argentina, endorsed the arrangements so far for the UN Water Conference, requested the relevant UN organizations to cooperate closely with the Conference secretariat in the preparatory work, and urged UNEP to provide financial support for the preparatory work of the Conference. The resolution was approved without vote the same day and adopted by the Assembly without vote on December 15.

The second resolution, entitled "Permanent sovereignty over national resources in the occupied Arab territories," was sponsored by 45 states and introduced on December 5 by Pakistan. The resolution recalled that the 29th Assembly in 1974 had requested the Secretary General, with the assistance of relevant specialized agencies and UN organs, including UNCTAD, "to prepare a report on the adverse economic effects on the Arab states and peoples, resulting from repeated Israeli aggression and continued occupation of their territories." Concluding that the Secretary General's report, dated November 3, was inadequate because it did not incorporate the necessary substantive and comprehensive studies, the resolution requested the heads of the relevant specialized agencies and UN organs, particularly UNCTAD and ECWA, to cooperate actively and adequately with the Secretary General in the preparation of a final and comprehensive report which should be submitted to the Assembly at its 31st session. The resolution was approved by the Second Committee on December 5 by a rollcall vote of 91 to 2 (Israel, U.S.), with 21 abstentions, and adopted by the plenary Assembly on December 15 by a rollcall vote of 100 to 2 (Israel, U.S.), with 30 abstentions. The United States voted against the resolution because, inter alia, it believed that the item was not within the competence of the Second Committee and that the resolution contained improper criticism of the Secretariat.

#### UNITED NATIONS UNIVERSITY

The UN University is to consist of a worldwide network of advanced training and research institutes with a University Center in Tokyo to provide program direction, coordination, and administrative support. The Center, facilities for which were furnished by Japan, became operational in 1975. Two Vice Rectors, Dr. Ichiro Kato (Japan), for Administration, and Dr.

Alexander Kwapong (Ghana), for Planning and Development, have been appointed by the Rector, Dr. James M. Hester (U.S.). The University, whose charter was adopted by the 28th General Assembly in 1973, is still in the early stages of setting program priorities and fund-raising.

The University's governing body, the Council, met in Tokyo in January 1975 and at UN Headquarters in June. Major actions taken by the Council included approving the Rector's organizational proposals and three general priority areas for the University's programs: world hunger, human and social development, and the use and management of natural resources. Three committees of experts, on each of which Americans served, subsequently recommended programs in these areas for the University. The experts concerned with the problem of world hunger recommended that the University direct its efforts to post-harvest conservation, food policy, food science, and nutrition. The experts in the field of development recommended that the University focus upon education for development, improving social relevance of science and technology, styles of living, and the analysis of projections of the future based on various world models. In the field of natural resources, the experts recommended that the University undertake a series of ecological projects concerned with arid zones, coastal areas, and oceanography, and another series concerned with the more careful use of natural resources, such as limiting the non-fuel uses of fossil material.

The University's fund-raising objective is \$500 million for an endowment fund that will provide a basic annual operating income in the range of \$25-\$40 million. By the end of 1975 Cyprus, Ghana, Greece, Japan, Senegal, Sweden, and Venezuela had made pledges to the endowment fund. The two largest pledges were those from Japan in 1973 for \$100 million and from Venezuela in 1975 for \$10 million.

On December 9 the 30th General Assembly adopted without a vote a resolution on the UN University that had been sponsored in the Second Committee by Venezuela and 18 other states. In the resolution the Assembly (1) encouraged the University to pursue its work within the three broad areas of priority that it had identified, (2) urged the University to embark on its full activities as soon as possible and establish appropriate links with interested and qualified institutions all over the world, (3) stressed the need for full cooperation and coordination between the University and appropriate agencies and bodies of the UN system with a view to avoiding duplication of effort and permitting utilization of available expertise in the most effective and economical manner, (4) appealed to all members to give financial and other support to the University, and (5) requested the Secretary General in cooperation



with the Rector and Council of the University and the Director General of UNESCO to intensify his efforts to raise more funds for the University.

#### UN INSTITUTE FOR TRAINING AND RESEARCH

The UNITAR Board of Trustees, which sets overall policy and approves the budget, comprises 4 ex officio members--the UN Secretary General, the President of the General Assembly, the President of ECOSOC, and the Executive Director of UNITAR--and 21 members who are appointed by the Secretary General on a broad geographical basis. Harvey Picker, Dean of the Faculty of International Affairs at Columbia University, is a member of the board. The Executive Director, Davidson Nicol (Sierra Leone), also serves ex officio as a member of the UN University Council, in order to guard against the possibility of overlap between the programs of UNITAR and UNU.

At its 14th session, held in New York, September 22-25, 1975, the Board of Trustees reviewed the Institute's work during the preceding year and approved a budget of \$2,609,000 and program of work for 1976 which continues both the research and training programs. A major research project during 1976 will continue to be the Project on the Future, directed by Dr. Philippe de Seynes, former UN Under Secretary General for Economic and Social Affairs, who was appointed UNITAR Senior Special Fellow in January 1975. Other continuing research will be concerned with peaceful settlement of disputes, the UN role in promoting cooperation between countries having different economic and social systems, the international civil service, and multinational corporations. Among the subjects for future studies discussed by the Board were nutrition, deserts and water, new energy sources, and intermediate technologies to exploit small-scale deposits of natural resources.

With respect to training, during the year ended June 30, 1975, there were over 600 participants from 120 countries in UNITAR courses, which were organized for diplomats, national officials, and international civil servants. The cooperation of other UN agencies in carrying out UNITAR courses for international civil servants was strengthened during 1975, in part because UNITAR's Director of Training also served as the chairman of the ACC<sup>26/</sup> Subcommittee on Education

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<sup>26/</sup> The Administrative Committee on Coordination is composed of the UN Secretary General and the executive heads of the specialized agencies and the IAEA. The heads of other UN organs are invited to participate as appropriate.

and Training and the CCAQ<sup>27/</sup> Subcommittee on Staff Training.

A noteworthy example during 1975 of UNITAR's timely integration of its research and training programs concerned activities for International Women's Year. In cooperation with UNDP and the American Association for the Advancement of Science, UNITAR organized a training seminar on women and development. Held at Mexico City in June, immediately before the World Conference of the International Women's Year, the seminar was attended by participants from more than 30 countries. The Institute also published, so that it would be available in time for the World Conference, a special issue of UNITAR News entitled "Women and the UN."

The Second Committee of the 30th General Assembly considered UNITAR at three meetings on October 7 and 8 and November 20. In opening the discussion, the Executive Director introduced UNITAR's annual report and affirmed that UNITAR would take the conclusions of the General Assembly's seventh special session into account when putting its program of work into effect.

Speaking on October 8, the U.S. Representative, John H. Haugh, said that considering the small amount of money involved, the work of UNITAR was surprisingly comprehensive in areas of critical concern. He complimented the Executive Director on increasing the proportion of expenditures devoted to substantive operations by seeking the advice and implementing recommendations of the UN Administrative Management Service. He expressed the view, shared by others, that UNITAR's role involved activities designed to improve UN structure and functioning and problems of special interest to the developing countries in the area of economic and social development. He said that the United States was particularly pleased that UNITAR's research activities had been reoriented toward studies which could be completed and used within approximately one year. He concluded by saying that, with respect to the Project on the Future, the United States looked forward both to the realistic identification of evolving global problems and to proposals for timely, imaginative UN system solutions.

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<sup>27/</sup> The Consultative Committee on Administrative Questions was established by the ACC in 1948. All organizations of the UN common system--i.e., UN, specialized agencies, IAEA, GATT, UNDP--are represented on the Committee. Member organizations are represented by the heads of their administrative services or such other administrative officers as may be designated from time to time.



On November 20, the Second Committee approved without a vote a draft resolution on UNITAR that was sponsored by 19 states, including the United States. In its operative paragraphs the resolution (1) noted the Executive Director's report; (2) invited UNITAR to concentrate its work in the sphere of economic and social training and research so as to include specific projects on the problems in the areas identified by the General Assembly at its sixth and seventh special sessions and in the relevant decisions of its 29th regular session; and (3) expressed the hope that UNITAR would have greater and wider financial support from member states and organizations.

The resolution was adopted by the General Assembly in plenary session on November 28 without a vote.

## HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The United Nations system serves an important policy interest of the United States in providing a mechanism for examining and acting on human rights questions.

Although debate on human rights questions in recent years has often lacked judicial objectivity and has taken on a political cast, the fact remains that UN forums, operating under internationally-accepted standards such as the Universal Declaration of Human Rights, afford one of the best, albeit imperfect, means to keep instances of human rights violations before the world community.

In his speech to the General Assembly on September 22, 1975, Secretary Kissinger underscored the U.S. commitment to the ideals embodied in the concept of human rights:

"The great human rights must be recognized, respected, and given reality in the affairs of nations. The earliest UN declarations, and the recent Helsinki Conference, leave no doubt that these are matters of international concern. The United States will support these principles. Throughout the world, in all continents, violations of human rights must be opposed whether they are inflicted by one race upon another--or upon members of the same race. Human rights must be cherished regardless of race, sex, or religion. There can be no double standard."

In keeping with these objectives, the United States took an active part in human rights debates in 1975, notably at the 31st session of the 32-member Human Rights Commission, <sup>28/</sup> which met in Geneva February 3-March 7. Human rights issues were also considered by ECOSOC and the General Assembly.

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<sup>28/</sup> Members in 1975 were Austria, Bulgaria, Byelorussian S.S.R., Costa Rica, Cyprus, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Ghana, India, Iran, Iraq, Italy, Lebanon, Netherlands, Nicaragua, Pakistan, Panama, Peru, Senegal, Sierre Leone, Tanzania, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Upper Volta, Yugoslavia, and Zaire.



HUMAN RIGHTS IN THE OCCUPIED TERRITORIES OF THE MIDDLE EAST

The question of violations of human rights in Israeli-occupied Arab territories has come before the Commission every year since 1968, and the debate has become routine and predictable.

The Commission devoted four sessions to this subject and heard statements from, among others, the observers for Jordan, Israel, and the Palestine Liberation Organization (PLO). (The PLO had been given observer status by the Commission for the first time at the beginning of the session by a vote of 23 to 1 (U.S.), with 5 abstentions.) Representatives of Arab states and the PLO accused Israel of a variety of violations of human rights in occupied territory, citing, for example, the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (see p. 16) as evidence of establishment of Israeli settlements, expropriation of property, denials of the right of inhabitants to return to their homes, and repressive measures such as reprisals, including demolition of houses, administrative detention and mass arrests. Several speakers deplored the refusal of Israel to allow the Special Committee access to the occupied territories. Israel's observer said that the situation of the civilian population in the occupied territories was good and continued to improve and that Israel was the victim of Arab propaganda. He recalled that his government had in the past questioned the legality of the Special Committee and the veracity of its report.

Two resolutions were introduced. One was a standard resolution containing broad condemnations of Israeli policy and practice and calling for ill-defined action on Israel's part. The resolution was adopted on February 21 by a vote of 22 to 1 (U.S.), with 9 abstentions. In explaining his negative vote, the U.S. Representative, Philip E. Hoffman, said that the resolution was indiscriminately condemnatory in tone and was not helpful given the then delicate state of negotiations on Middle East questions. The other resolution deplored the disrespect and ill-treatment of Moslem and Christian religious leaders, called upon Israel to ensure freedom of worship, and called for the release of Greek Catholic Archbishop Capucci, who had been convicted of smuggling arms into Israeli-controlled territory. This resolution was adopted the same day by a vote of 21 to 6 (U.S.), with 5 abstentions. The U.S. Representative said that the allegations of unfair treatment of religious groups contained in the resolution were not supported by any independent evidence and seemed to be politically motivated. Furthermore, he said, there was no evidence before the Commission that the Archbishop's trial had been unfairly conducted.

## RELIGIOUS INTOLERANCE

For the second year in a row, the Commission decided to establish a working group to continue work on a Draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. The 29th General Assembly had asked the Commission to submit a single draft Declaration, through ECOSOC, to the 30th General Assembly.

The previous year's working group had had sparse results, agreeing only on the title and the first preambular paragraph. The 1975 working group, using draft texts submitted in 1974 by the Byelorussian S.S.R. and at the current session by the Netherlands, managed in the course of five meetings to adopt six additional preambular paragraphs. Although some progress was made, it was obvious that this subject, traditionally of great importance to the United States, has been the object of dilatory tactics on the part of those not sympathetic to the project.

In the end the Commission voted to report to the General Assembly, through ECOSOC, that the requested draft was not yet completed. The General Assembly, in a decision of December 15, merely approved without vote the recommendation of its Third Committee that the item be placed on the agenda of the 31st Assembly.

## PROCEDURES FOR DEALING WITH HUMAN RIGHTS COMPLAINTS

In 1975, the Human Rights Commission undertook to deal directly with the thousands of private communications relating to violations of human rights and fundamental freedoms that are addressed annually to the United Nations. Following procedures established by ECOSOC in its resolution 1503, adopted in 1970, the Subcommittee on Prevention of Discrimination and Protection of Minorities at its 1974 meeting examined over 9,000 communications received during the preceding year and, as a result, decided to refer to the Commission, as provided by the 1970 resolution, "particular situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission." (Under these procedures consideration of such cases by the Subcommittee and the Commission is confidential and all deliberations take place in closed sessions.)

In the general public debate on this item, the U.S. Representative enunciated the U.S. determination to support these procedures, saying:

" . . . When the Subcommittee refers a situation to the Human Rights Commission . . . and when the situation is reasonably supported



by the record before the Subcommittee and is of continuing and current concern, the United States will support a thorough study. The U.S. support of a study does not imply a prejudgment on the merits by the United States."

Mr. Hoffman also alluded to the procrastinating tendency of the Commission in seeking to refine, clarify, and amend the procedures rather than grapple with specific cases, and asserted that the only way to improve the procedures was to use them. "Then out of the fires of experience will come purification accompanied by increasing effectiveness."

During seven closed meetings devoted to this item there was much discussion of the procedures themselves and of the role of nongovernmental organizations in the Commission's handling of these human rights questions. Debate on the latter subject led to a draft resolution, which on February 24 the Commission recommended that ECOSOC adopt. The draft resolution, which was opposed by the United States, noted that "some nongovernmental organizations have occasionally failed to observe the requirements of confidentiality" and "have often shown disregard for proper discretion" in their oral interventions on matters affecting member states. The draft resolution then called for strict application of the rules regarding the participation of nongovernmental organizations in the confidential proceedings and threatened suspension of consultative status for "failing to show proper discretion in an oral or written statement."

By the time this draft resolution came before the 58th ECOSOC in April, it was clear that its criticism of nongovernmental organizations was a source of serious concern, not only to the organizations themselves, but to the many governments that value the contributions these independent groups make to the promotion of human rights. One such concern was the establishment of the vague criterion "proper discretion" as the basis for suspension of consultative status. The United Kingdom, together with Australia, Norway, and the Netherlands, submitted a series of amendments designed to blunt the most objectionable features of the draft resolution and to reaffirm but not extend existing rules on confidentiality. The resulting compromise text, put forward by the Council President, Iqbal A. Akhund of Pakistan, was adopted by ECOSOC without a vote on May 5.

In explaining his support of the compromise resolution, the U.S. Representative, Ambassador Ferguson, emphasized (1) that it was a compromise, not entirely satisfactory to all; (2) that the United States did not agree with the feeling underlying the original draft

resolution that nongovernmental organizations needed to be disciplined; and (3) that nongovernmental organizations have played, and he hoped would continue to play, an important role in the United Nations and in the Human Rights Commission in particular.

With respect to the overall effectiveness of the procedures, Ambassador Ferguson said that the United States

"... was impressed that, in general, every effort was made to examine the situations brought before the Commission in an objective manner with a view not to judging countries but to ameliorating the situation and, in doing so, to seek the cooperation of the government concerned. But we must recognize that the 1503 procedure is in a sense still new and still fragile, and every effort need be made to ensure its healthy growth."

Secretary Kissinger, in his address to the General Assembly on September 22, recommitted the United States to the support of these human rights procedures.

#### HUMAN RIGHTS IN CHILE

Few human rights questions involving a specific country have received as much attention in the United Nations as has the case of Chile. During 1975 there were major debates on reports of violations of human rights in Chile in the Human Rights Commission and in the General Assembly. In addition, the subject was treated in ECOSOC and in the Subcommittee on Prevention of Discrimination and Protection of Minorities.<sup>29/</sup> By its appointment of an Ad Hoc Working Group to inquire into the human rights situation in Chile, the Commission embarked on an innovative approach to dealing with human rights questions that may be an important precedent in the future.

In February 1975 the Commission needed to respond to a resolution of its Subcommittee recommending that the Commission study "the reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment." This recommendation had, in the interim, been endorsed by the 29th General Assembly. The Commission had at its disposal a large amount of documentation including a note by the Secretary General, the

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<sup>29/</sup> The Subcommittee is composed of 26 experts, serving in their individual capacities, elected by the Commission on Human Rights for 3-year terms. W. Beverly Carter, Jr., of the United States is a member. The Subcommittee held its 28th session in Geneva, Aug. 25-Sept. 12, 1975.



report of its Subcommittee, submissions by international bodies such as the ILO and UNESCO and by many nongovernmental organizations, and comments by the Government of Chile.

Representatives from 15 countries, including, in addition to members of the Commission, observers from Chile, Cuba, and the German Democratic Republic, took part in the general debate on this item. Representatives from nongovernmental organizations also spoke. Virtually all the participants voiced serious concern over reports of the human rights situation in Chile, and there were calls for action ranging from outright condemnation of Chile, without waiting for verification of the allegations that had been made, to an objective study avoiding a prejudgment of the case. In this regard the lines were clearly drawn between the U.S.S.R. and other communist states urging the former and Western European countries and the United States urging the latter.

The U.S. Representative and others pointed out that the status of human rights in Chile was already being considered by the Inter-American Human Rights Commission.

The observer for Chile told the Commission that the allegations with regard to mass arrests, torture, and killings were either grossly exaggerated or untrue. He announced that his government would welcome and lend every assistance to an impartial and unprejudiced fact-finding mission to seek the truth of the situation in Chile.

Two draft resolutions were proposed. One, sponsored by the Netherlands, Nicaragua, and the United Kingdom, would have established a working group under the chairmanship of the Chairman of the Commission to inquire into the present situation of human rights in Chile and report to the next session of the Commission. The other, introduced by the U.S.S.R., would have condemned the violations of basic human rights and fundamental freedoms in Chile and urged the Chilean authorities to implement the relevant resolutions and decisions of the United Nations, principal among which was the 29th General Assembly resolution on "Protection of Human Rights in Chile."

During the debate the U.S. Representative spoke in favor of the 3-power resolution. He noted

" . . . a certain tendency . . . to emphasize the propaganda aspects of the resolutions which have been proposed, to stress the need for condemnation as though that were an important end in itself. We find this approach particularly difficult to accept when it reflects a deeply ingrained double standard--when this Commission is asked for

condemnations by those whose attachment to the values of human rights is at best theoretical."

He went on to say that the United States "has been willing and anxious to go on record on past occasions in making known our concern over the situation in Chile, and in supporting actions which gave expression to that concern in appropriate language." For these reasons, he said, he was prepared to support the idea of a working group "composed of persons whose qualifications would give the grèatest hope for positive results."

After intensive private negotiations, a compromise resolution proposed by Senegal and understood to be agreeable to the Government of Chile was adopted by the Commission without a vote on February 27. The resolution set up for 1 year an Ad Hoc Working Group of five members of the Commission, to be appointed in their personal capacity by the Chairman and to operate under his chairmanship, to "inquire into the present situation of human rights in Chile" and to report, on an interim basis, to the 30th General Assembly and finally to the next session of the Commission.

Although the resolution ignored positive action to improve the status of human rights already taken by Chile, it avoided the unacceptable a priori condemnation of Chile which characterized the Soviet proposal.

The Chairman of the Commission, Ghulam Ali Allana (Pakistan), announced that, in addition to himself, the Working Group would consist of Leopoldo Benites (Ecuador), Abdoulaye Dieye (Senegal), Felix Ermacora (Austria), and M.J.T. Kamara (Sierra Leone).

The Commission's decision to establish the Ad Hoc Working Group was approved by ECOSOC on May 6. This followed a statement by the Chilean observer in the Social Committee of ECOSOC that his government had agreed to the establishment of the Working Group to visit Chile.

Despite these assurances, the President of Chile announced on July 4 that he had asked the Working Group not to come. The Government of Chile subsequently explained that the presence of the Working Group might give rise to undesirable incidents. It also argued that the Working Group, the performance of whose task was contingent on a visit to Chile, could not continue to function since "the testimony of exiles or persons opposed to Chile residing abroad and therefore unacquainted with the present situation of respect for human rights that prevails in . . . [Chile] can scarcely serve as a basis for an objective and impartial report to the Commission." Nevertheless, the Working Group proceeded with its work on the basis of information available to



it and began preparation of a progress report to be presented to the General Assembly.

The Subcommittee at its 28th session again reviewed the human rights situation in Chile and on September 10 adopted another resolution which recited the history of international concern over this problem, reiterated the Subcommittee's own concern, and asked the Secretary General to bring the resolution to the attention of the Chilean authorities.

Thus the stage was set for extended General Assembly debate on this issue at its 30th session.

The debate was opened in the Third Committee on October 29 by the Director of the Human Rights Division of the UN Secretariat, who introduced the report of the Secretary General on the protection of human rights in Chile. The report described in detail the actions that the Secretary General, the UN organs, specialized agencies, and intergovernmental and nongovernmental organizations had taken in accordance with the 29th Assembly's resolution on Chile. The Chairman of the Ad Hoc Working Group provided background on the Working Group's activities and his personal role in them and summarized the Working Group's progress report, which was highly critical of the Government of Chile for its attitude on human rights matters. The Third Committee also had available an extensive report entitled, "The Present Situation on Human Rights in Chile," submitted by the Permanent Representative of Chile.

During the next 2 weeks there was extended discussion in the Third Committee on the situation in Chile, coupled with intensive private negotiations over the text of a draft resolution that would embody the sense of the General Assembly on this important issue. The Committee's debate centered on the Working Group's progress report.

Much criticism was directed at Chile's refusal to admit the Working Group.

The intensive private negotiations produced a draft resolution ultimately sponsored by 38 states--12 African, 10 Western European and Other, 8 Eastern European, 4 Latin American, and 4 Asian. The draft resolution, introduced by the Netherlands on November 11, criticized human rights practices in Chile, expressing the "profound distress" of the General Assembly at the "constant, flagrant violations of human rights, including the institutionalized practice of torture, cruel, inhuman, or degrading treatment or punishment, arbitrary arrest, detention, and exile--to which the progress report . . . brings additional evidence--which have taken place and, according to existing evidence, continue to take place in Chile." The resolution called on Chile to take a number of specific measures which

would, in general, have Chilean practice conform to the standards of the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights. It also invited the Human Rights Commission to extend the mandate of the Working Group so as to enable it to report again to the General Assembly in 1976.

The resolution, as finally drafted, avoided the most extreme formulations of uncritical condemnation that had been suggested, and the United States accordingly decided to support it. In explaining this decision in the Third Committee the U.S. Representative, Mr. Garment, said:

"Our vote reflects deep concern over reports which continue to come to this organization from many credible sources about violations of basic human rights taking place in Chile. My government is of the opinion that these reports deserve to be addressed by appropriate UN action."

He mentioned the strong support the United States had given the Working Group and expressed disappointment that its visit to Chile did not take place. He emphasized that the United States regarded the resolution as a positive attempt to give meaning to human rights instruments through its call on the Chilean authorities to give full respect to them, but he registered some concern lest resolutions like this go too far in prescribing specific measures of correction which might seem to involve the United Nations too directly in domestic matters. He also warned of the danger of leaving the impression that the United Nations, while singling out the human rights situation in one country, "is willing to overlook situations involving gross violations of human rights in other countries, some of which are among the loudest and most belligerent critics of Chile."

The resolution was approved on November 11 by a rollcall vote of 88 (U.S.) to 11, with 20 abstentions, and adopted on December 9 by the plenary Assembly by a recorded vote of 95 (U.S.) to 11, with 23 abstentions.

#### HUMAN RIGHTS AND DETENTE

At its 1975 session the Commission considered once again a draft resolution introduced the year before by Bulgaria, the Byelorussian S.S.R., and the U.S.S.R. dealing with detente, peace, and human rights.

Those supporting the draft resolution argued that human rights had to be viewed in the context of international peace and security and could not be divorced from the fight against aggression and colonialism. The right to life, they contended, was paramount, and



massive violations of human rights could best be prevented by putting an end to wars of aggression, such wars being the most frequent cause of violations of human rights.

The United States, United Kingdom, and some others took exception to the premises of the draft resolution. The U.S. Representative, Mr. Hoffman, pointed out that the objections to the resolution were exactly the same as those cited a year earlier, namely, the resolution artificially linked human rights and detente, suggested that war was the principal cause of human rights violations, and ignored the importance of individual civil and political rights. He noted that the draft resolution was

"... at best incomplete and gives a picture of the relationship between peace and human rights which is unbalanced and which ignores what to my delegation is a prime element. This element relates to our conviction that respect for human rights and fundamental freedoms is an essential factor which must underlie a state of peace with justice. We, of course, agree that a condition of war leads to denials of human rights but it is also a fact that violations of human rights occur even in the absence of war. In fact, the pages of history show they are often the cause of war."

With the support of the United States and some Western European countries, the United Kingdom proposed amendments reflecting Western objections to the draft resolution. However, because the debate arose toward the end of the Commission's session and no resolution of the conflicting viewpoints was in sight, further consideration of the subject was deferred until 1976.

#### THE PROBLEM OF TORTURE

International awareness of the widespread and pernicious practice of torture throughout the world and of the need to take concrete steps to prevent it reached a high point in 1975 with the adoption by the 30th General Assembly of a "Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment." This Declaration had been recommended to the General Assembly by the Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders at Geneva (see p. 157 ).

At the beginning of the General Assembly Secretary Kissinger announced U.S. support for the Declaration and proposed, as a practical step toward the implementation of its principles, the establishment of a group of experts appointed by the Secretary General, "to study

the nature and extent of torture in the world today and to report back to the next Assembly."

The Third Committee considered the proposed Declaration and a related resolution cosponsored by 21 states, over half of whom were Western Europeans, under an agenda item entitled "Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention or imprisonment." The 21-power resolution addressed itself to follow-on activities in the campaign against torture and requested (1) the Human Rights Commission to study the question of torture, (2) the Committee on Crime Prevention and Control to draft a code of conduct for law enforcement officials to be submitted through the Commission on Social Development and ECOSOC to the 32nd General Assembly, and (3) the WHO to study principles of medical ethics relevant to the protection from torture of persons under detention. The resolution also placed the question of torture on the agenda for the 31st General Assembly.

Supporting the Declaration in the Third Committee, the U.S. Representative, Carmen R. Maymi, on November 28 called its adoption a step of major importance:

"It is an accomplishment which underlines the gravity of the problem of torture in the world and demonstrates our collective determination to do something about it. This Declaration reinforces the complete and unconditional prohibition against torture set forth in the Universal Declaration of Human Rights and in the Covenant on Civil and Political Rights. Now there can be no possible loophole through which government officials responsible for torture can escape condemnation by the international community."

Because of lack of time, the Secretary's call for measures to implement the Declaration was not acted on, but the U.S. Representative affirmed the U.S. intention to press in the General Assembly and in other UN forums for steps to ensure that the newly-adopted principles to combat torture are, in fact, observed.

In an earlier, but related action, the Human Rights Commission's Subcommission on Prevention of Discrimination and Protection of Minorities had adopted a resolution on September 10 dealing with the human rights of persons subject to detention. The resolution cited several issues that needed immediate attention, such as prolonged detention without formal charges, ineffectiveness of judicial control over arrest and detention practices, and the role of secret police and paramilitary organizations. The resolution invited the Human Rights Commission to give urgent consideration to a long-pending Study of the Right of Everyone To Be Free from



Arbitrary Arrest, Detention, and Exile and asked governments and others to provide reliably attested information on problems of detention for use by the Subcommittee in its annual review of this subject.

## HUMAN RIGHTS AND COLONIALISM

The General Assembly in 1974 adopted a resolution entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights," that called for a report by the Secretary General on its implementation. Consideration of the report was allocated to the Third Committee.

In the general debate on this item between October 8 and 16 the U.S. Representative, Barbara M. White, reviewed the historical commitment of the United States to the principle of self-determination, beginning with the American Revolution. Speaking of the modern era, she said:

" . . . Since the end of World War II, we have supported the efforts of peoples in Africa, Asia, and the Western Hemisphere to exercise their right of self-determination and sought to contribute through economic assistance to their efforts to build new countries on the basis of that right. We will continue to do so."

On October 16 Ghana introduced a draft resolution which was ultimately sponsored by 20 states, nearly all African. The resolution welcomed the recent achievement of independence by a number of new states and called attention to other colonial situations where independence had not yet been obtained.

Although much in it was unexceptionable, the resolution as a whole supported the idea that self-determination necessarily means independence, whereas the frequently reiterated U.S. position is that self-determination is the governing principle and that independence may or may not follow, depending on what the peoples directly concerned determine. It also contained language in several of its operative paragraphs that the United States found objectionable: Paragraph 1 seemed to give unqualified endorsement to armed struggle; without being specific, paragraph 4 condemned the policies of members of NATO and others with relation to southern Africa; and paragraph 5, by singling out questions of African and Palestinian self-determination while ignoring others, tended to politicize a principle that is best stated in completely impartial terms. Accordingly, the United States voted against paragraph 4, abstained on paragraph 5, and abstained on the resolution as a

whole, making an explanation along the lines outlined above.

The resolution was approved by the Third Committee on October 16 by a vote of 106 to 1, with 19 abstentions (U.S.). It was subsequently adopted in plenary on November 10 by a vote of 99 to 1, with 18 abstentions (U.S.).

On October 24 the Third Committee approved by a vote of 94 to 0, with 13 abstentions (U.S.), a related resolution entitled "Adverse consequences for the enjoyment of human rights of political, military, economic, and other forms of assistance given to colonial and racist regimes in southern Africa." The Assembly adopted the resolution on November 10 by a recorded vote of 109 to 0, with 10 abstentions (U.S.). The resolution took note of the study on this subject under way in the Subcommission (see p. 216) and requested the Secretary General to give the Special Rapporteur every possible assistance in completing the study in 1976. The resolution's first operative paragraph, however, expressed the view that "organizations and states which give assistance to the racist and colonial regimes in southern Africa are accomplices of those regimes in respect of their inhuman policies of racial discrimination, apartheid, and colonialism." The United States abstained because it considered the definition of "assistance" too broad and too imprecise. Further, the resolution seemed to prejudge the findings of the study in progress in the Subcommission.

#### MISSING PERSONS IN CYPRUS

The question of missing persons in Cyprus came before both the Commission and the General Assembly in 1975. The treatment of this subject stemmed from a complaint made to the Commission by the Government of Cyprus in September 1974 alleging "flagrant violations of fundamental human rights" of Greek Cypriots by Turkey during July-August 1974 in the course of its military intervention in Cyprus. The Cyprus complaint included a long list of alleged violations, including displacement of persons and separation of families. Turkey denied the allegations and countered with a charge that the fundamental rights of the Turkish-Cypriot community had been suppressed by the "Greek-Cypriot Administration" of the island.

The Commission took up this matter under its agenda item dealing with "Questions of the Violation of Human Rights and Fundamental Freedoms." Following statements on the current situation in Cyprus by the Representatives of Cyprus and Turkey and the observer for Greece, the Commission adopted without a vote a compromise resolution. This resolution, introduced by India and



cosponsored by Egypt, Senegal, Yugoslavia, and Zaire, referred to the 29th General Assembly resolution that had commended and called for continuation of the contacts and negotiations taking place between the two communities on Cyprus. In its operative paragraphs, the Commission's resolution asked all parties to take urgent measures for the return of all refugees to their homes and for "intensification of efforts aimed at tracing and accounting for missing persons."

At the 30th General Assembly Cyprus, joined by five cosponsors, introduced into the Third Committee a draft resolution, "Missing Persons in Cyprus." Turkey proposed a series of amendments, and Cyprus then revised its text. The Turkish amendments were all rejected, with the United States voting against one amendment that would have deleted reference to the 29th Assembly's resolution on Cyprus and abstaining on the others. In its final form the resolution "Requests the Secretary General to exert every effort, in close cooperation with the International Committee of the Red Cross, to assist in the tracing and accounting for persons missing as a result of armed conflict in Cyprus." The resolution was approved in committee on November 19 by a recorded vote of 98 (U.S.) to 1 (Turkey), with 21 abstentions.

In supporting the resolution, the United States underscored its humanitarian aspect, reminded the Third Committee of a U.S.-cosponsored resolution in 1974 on the plight of all missing persons and their families, and noted that the failure to account satisfactorily for persons missing as a result of an armed conflict causes inexcusable sorrow for the families of those missing and hampers international efforts to free captured persons who are still alive.

The resolution was adopted by the plenary Assembly on December 9 by a vote of 106 (U.S.) to 0, with 26 abstentions; Turkey did not participate in the vote.

#### HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Since 1968, when the International Conference on Human Rights in Tehran adopted a resolution pointing out that scientific and technological developments, while a boon to mankind, might also entail dangers to human rights, the Human Rights Commission and the General Assembly have regularly considered the problem.

In 1975 the Human Rights Commission devoted two meetings to this topic. In addition to much material prepared earlier, the Commission had before it (1) a study on uses of electronics that might affect the rights of the person and on the limits that should be placed on such uses in a democratic society; (2) a

study on the protection of the human personality and its physical and intellectual integrity in the light of advances in biology, medicine, and biochemistry; and (5) a report prepared by WHO on health aspects of human rights in the light of developments in biology and medicine. The Commission had been requested by the 29th General Assembly to draw up a program of work, taking into account these studies, comments from governments, and other relevant information with a view to "the formulation of standards in the areas which would appear to be sufficiently analyzed." In this connection the Secretary General had provided a note on the progress of studies made thus far.

The Commission did not formulate a work program as requested. Instead, it adopted, by a vote of 21 (U.S.) to 0, with 5 abstentions, a resolution, introduced by France and cosponsored by Ecuador and Panama, asking the Secretary General to complete as soon as possible the collection of material on this subject so that the Commission could at its next session give priority consideration to the item and prepare and submit a work program.

Discussion of this item in the Third Committee of the General Assembly centered on a draft resolution containing a "Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind," which the U.S.S.R. had introduced toward the end of the 29th General Assembly. A number of states, including the United States, believed that the proposed Declaration lacked balance in that it emphasized the impact of science and technology on economic and social developments but largely ignored the impact on civil and political rights and individual human freedoms. To correct this imbalance, substantial amendments had been introduced. Because of the short time available for consideration of the proposed Declaration, however, action on the matter had been deferred until the 30th General Assembly.

Before the 30th General Assembly convened, the United States, as well as some other countries, submitted comprehensive comments to the Secretary General on the proposed Declaration. The United States called for adoption of amendments it had submitted at the previous General Assembly. Designed to achieve the balance that was lacking, the amendments made explicit reference to the "human rights and fundamental freedoms" of individuals and peoples, noted that "scientific and technological achievements can entail dangers for the civil and political rights of the individual or of the group and for human dignity"; called for the citation of the Universal Declaration of Human Rights, since this is a document of fundamental importance; and introduced the concept of the "respect for privacy and the



protection of the human personality and its physical and intellectual integrity."

In the debate, most of the U.S. and other amendments were incorporated in the final version of the proposed Declaration. However, not all the amendments proposed by the United Kingdom and the Federal Republic of Germany (and supported by the United States) were incorporated. In the end the United States abstained on the vote because the balance it had sought had not been fully achieved, and the Declaration still failed to give adequate attention to threats to basic individual and group rights through misuse of scientific and technological developments. The Declaration was approved by the Third Committee on October 27 by a vote of 95 to 0, with 20 abstentions (U.S.) and adopted by the plenary Assembly on November 10 by a vote of 97 to 0, with 20 abstentions (U.S.). The plenary at the same time adopted by a vote of 108 (U.S.) to 0, with 7 abstentions, a decision proposed by France in the Third Committee to consider human rights and scientific and technological developments as a priority item at the 31st General Assembly.

#### AMNESTY FOR POLITICAL PRISONERS

As a major step to deal in humanitarian terms with the plight of political prisoners throughout the world, the U.S. Representative, Ambassador Moynihan, on November 12 proposed a draft resolution that in its principal operative paragraph appealed to all Governments "to proclaim an unconditional amnesty by releasing all political prisoners in the sense of persons deprived of their liberty primarily because they have, in accordance with the Universal Declaration of Human Rights, sought peaceful expression of beliefs and opinions at variance with those held by their Governments or have sought to provide legal or other forms of non-violent assistance to such persons." The draft also asked the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to strengthen their efforts on behalf of political prisoners.

Unfortunately, the U.S. draft resolution was subjected to a series of some 15 destructive amendments. For example, they would have had the effect of changing the call for the release of political prisoners to allowing the release of terrorists. These amendments also sought to inject specific political issues such as Namibia, Southern Rhodesia, and Palestine into what was intended as a generalized appeal to all governments to recognize the problem of political prisoners and take action to alleviate it.

In the end the United States withdrew its draft resolution rather than see it amended beyond any resemblance to the original. The U.S. Representative in the Third Committee, Mr. Garment, said on November 21, in withdrawing the resolution:

"When the United States introduced the resolution to grant amnesty to political prisoners throughout the world, we did so with some care for the differences of opinion, sometimes vast ones, that divided the members of the United Nations. We did not ask for much. We asked merely for the release of those men and women who have been imprisoned for the peaceful expression of their beliefs and opinions in accordance with the Universal Declaration of Human Rights."

The U.S. Representative objected not only to the proposed amendments but also to the action of the Third Committee in voting to limit discussion of the issue. He reminded the members of the Third Committee that:

". . . The plight of political prisoners and attention to that plight will not die here. This issue will be raised again as long as there are political prisoners anywhere in the world."

He also served notice that the United States would persist in its efforts to get the world to "open the doors of its political jails so that perhaps some day it will open the doors and break down the walls that keep men and women from enjoying life in places of their own choosing."

#### HUMAN RIGHTS MACHINERY

The 29th General Assembly in 1974 adopted a resolution entitled "Improvement of the effective enjoyment of human rights and fundamental freedoms." That resolution recalled an earlier decision of the Assembly to keep under review ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms and requested the Secretary General to solicit the views of member states, the specialized agencies, and the regional intergovernmental organizations.

During 1975 the United States submitted an extensive statement of its views. A principal point of the U.S. comments was "that political considerations have increasingly come to dominate the resolution of human rights questions." To address this fundamental problem the United States suggested that "Member states should move toward reaffirming the organic idea that human rights violations should be approached on the premise



that the protection of human beings, not the vindication of political principles, is the primary consideration."

Another related question dealt with in the U.S. comments was that of evenhandedness in treating human rights questions in UN forums. It was noted that the United Nations, while giving "close and repeated attention" to some serious human rights questions, unfortunately failed to concern itself with other equally serious cases of gross violations of human rights.

Specific suggestions contained in the U.S. comments included (1) reexamination of the constitution of the Commission on Human Rights in order to make its proceedings as objective as possible; (2) development of a mechanism to make the contribution of nongovernmental organizations to human rights debates more systematic and effective, for example, an annual conference of nongovernmental organizations under UN auspices to explore crucial human rights questions of current concern; (3) reexamination of the proposal to establish the position of a High Commissioner for Human Rights; and (4) simplification and rationalization of the workload of the Commission, and provision for meetings in addition to the regular annual one so as to enable the Commission to deal promptly with urgent human rights questions before it.

At the 30th Assembly the subject of alternate approaches and ways and means to improve the effective enjoyment of human rights was given only brief treatment. The Third Committee considered the report of the Secretary General, and approved on November 26 a U.K.-initiated resolution asking the Secretary General to solicit further views of member states and to report back to the General Assembly, which is to give the question high priority at its 32nd session. The roll-call vote was 115 (U.S.) to 0, with 5 abstentions (Chile, Equatorial Guinea, Ethiopia, Netherlands, U.K.). Although the United Kingdom had sponsored the resolution, it abstained on it in the Third Committee because of its objection to a Saudi Arabian amendment that put off reconsideration of the item from the 31st to the 32nd session of the General Assembly.

The U.S. Representative, Ambassador Myerson, speaking in explanation of vote, said that the United States favored the general purpose of the resolution but regretted exceedingly the delay of one year in reconsidering the matter. The resolution was adopted by the General Assembly on December 9 by a recorded vote of 125 (U.S.) to 0, with 4 abstentions (Bahamas, Malawi, Netherlands, Rwanda).

A Chilean proposal to establish an expert group to study the setting up of a system for investigating allegations of human rights violations was, after a prolonged procedural wrangle, not put to a vote. The motion to shelve the proposal was adopted by the Third Committee by a vote of 47 to 22 (U.S.), with 39 abstentions.

DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION--THE ANTI-ZIONISM RESOLUTION

This year's consideration by the General Assembly of the Decade for Action to Combat Racism and Racial Discrimination culminated in the adoption on November 10 of a resolution equating Zionism with racism.

The 28th Assembly had adopted without a vote a resolution designating the 10-year period beginning with December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. Under this resolution ECOSOC was given the responsibility for evaluating the activities of governments and organizations in furtherance of Decade aims. At its 58th session ECOSOC reviewed various reports describing Decade activities up to that point and on May 6, 1975, adopted without a vote two draft resolutions which it recommended that the General Assembly adopt.

The 16 sponsors of the ECOSOC resolutions (10 Africans and 6 others) sought to avoid the extreme wording that had led to U.S. and Western European opposition to or abstention on similar resolutions in the past. The first was an omnibus resolution that condemned the "intolerable conditions which continue to prevail in southern Africa and elsewhere"; reaffirmed the "legitimacy of the struggle of oppressed peoples to liberate themselves from racism, racial discrimination, apartheid, colonialism, and alien domination"; and called on member states to take a variety of specific steps, such as signing and ratifying relevant international instruments relating to racial discrimination, including the International Convention on the Suppression of the Crime of Apartheid. The second resolution noted with appreciation the offer of Ghana to host an international conference as a major feature of the Decade.

In explaining the U.S. position in ECOSOC, James E. Baker reiterated the U.S. reservations with regard to the Apartheid Convention and expressed the understanding that UN assistance to liberation movements would be of a humanitarian and educational character, consistent with the charters of the bodies concerned.

The Third Committee of the General Assembly began consideration of these resolutions in a routine fashion



under the agenda item, "Elimination of All Forms of Racial Discrimination." Following several references to Zionism in the course of the general debate, 13 countries (Cuba and 12 Afro-Asian states) submitted amendments to the omnibus resolution. The most significant among these proposed the addition of the following operative paragraph: "Considers Zionism as a form of racial discrimination to be included in the program for the Decade . . . ."

After this amendment had been circulated, the U.S. Representative, Mr. Garment, stated on October 3 that the United States had been prepared to support the omnibus resolution as part of international efforts to promote the Decade's aims. But, he went on:

"The U.S. delegation is strongly opposed to the suggested amendments . . . . The content of these amendments is not only unjust but ominous. It is ominous because it treats the word 'racism' as if it were not the name of a very real and concrete set of injustices, but merely an epithet to be flung at whoever happens to be one's adversary . . . ."

Consequently, he concluded, the United States would vote "no" on the amendments and, should they be adopted, on the resolution as a whole.

The Italian Representative, speaking on behalf of the European Community, announced that his group would follow a similar course, and there were indications from some other Western countries that they would do likewise.

In the face of this strong opposition the proponents of the amendments decided not to press them. As an alternative, however, the same 13 states joined by 13 others, including all the Arab states, proposed a separate resolution which made no mention of the Decade but, in its single operative paragraph, read: "Determines that Zionism is a form of racism and racial discrimination." When this resolution was circulated, the United States indicated its adoption, thereby changing the definition of racism on which the Decade was premised, would result in negative U.S. votes, not only against this particular resolution, but against the omnibus resolution on the Decade program and the resolution on the Ghana Conference.

Several days of consultation preceded the October 17 votes on the resolutions in the Third Committee. A preliminary proposal by Sierra Leone to defer consideration of the draft resolution until the 31st General Assembly was defeated by a rollcall vote of 45 in favor (U.S.) to 68 opposed, with 16 abstentions. The two resolutions relating directly to the Decade were

approved by near-unanimous votes, but the United States and European Community countries made it clear that their affirmative votes would be reversed if the resolution asserting the Zionism-racism link was adopted in plenary. The Zionism-racism resolution was then approved by a rollcall vote of 70 to 29 (U.S.), with 27 abstentions.

Before the vote Mr. Garment clearly laid out the effect the adoption of the Zionism-racism resolution would have on U.S. participation in the Decade. He said:

"Under the guise of a program to eliminate racism, the United Nations is at the point of officially endorsing anti-Semitism, one of the oldest and most virulent forms of racism known to human history. This draft explicitly encourages the racism known as anti-Semitism even as it would have us believe that its words will lead to the elimination of racism.

". . . its adoption would bring to an end our ability to cooperate on eliminating racism and racial discrimination as part of the official work of the Decade."

At the same time, however, he said that the United States supported "without reservation, the work of the United Nations to combat racism and racial discrimination. We have taken part in these vitally important activities in the past and want to be able to do so without obstruction in the future."

Subsequent to the approval of the resolution by the Third Committee, the U.S. Government at the highest levels went on record opposing it.

President Ford, on October 24, issued the following statement:

"We deplore in the strongest terms the recent vote in the Social Committee characterizing Zionism as a form of racism. Such action undermines the principles upon which the United Nations is based.

"The spokesmen for the United States in the United Nations have expressed well and forcefully the views of this Administration and the American people on this issue."

And Secretary Kissinger at a UN Day dinner in Washington on October 25 said that the resolution:

". . . undermines the UN's necessary and valuable campaign against racial discrimination, and it threatens the UN's capacity as mediator in



the Middle East. We will work to defeat its passage by the General Assembly; we call on all nations to reconcile their vote with universal moral principles."

After more than 3 weeks of private discussion and sometimes intense diplomatic effort, the matter came before the plenary of the General Assembly on November 10. When a Belgian procedural move to defer consideration until the 31st General Assembly was defeated by a rollcall vote of 55 in favor (U.S.) to 67 opposed, with 15 abstentions, it was clear that the Zionism-racism resolution would be approved. The General Assembly then proceeded to adopt, in the following order, the omnibus resolution, by a recorded vote of 117 to 19 (U.S.), with 5 abstentions; the resolution on the Ghana conference, by a recorded vote of 116 to 18 (U.S.), with 7 abstentions; and the Zionism-racism resolution by a rollcall vote of 72 to 35 (U.S.), with 32 abstentions. In a statement after the vote, Ambassador Moynihan said: "The United States of America declares that it does not acknowledge, it will not abide by, it will never acquiesce in, this infamous act."

Reaction within the U.S. Government to the UN action was immediate. On November 11 the Department of State spokesman announced that the United States would not participate in any way in the observance of the Decade because it believed "that observance has become totally perverted from its original intent by the UN General Assembly's action yesterday of including Zionism as a form of racism."

Also on November 11, the U.S. House of Representatives resolved "that the Congress strongly opposes any form of participation by the United States Government in the Decade for Action to Combat Racism and Racial Discrimination so long as that Decade and Program remain distorted and compromised by the aforementioned resolution naming Zionism as one of the targets of that struggle." The U.S. Senate adopted a virtually identical resolution.

Before the end of 1975 the first impact of the General Assembly's Zionism-racism resolution and the U.S. reaction to it was felt at a Paris UNESCO meeting on a draft declaration on the use of the mass media. The gratuitous introduction of a reference to the resolution into a draft document concerned with mass media principles led to the withdrawal of the U.S. and other Western delegations. (See also p. 249 .)

SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND  
PROTECTION OF MINORITIES

The Subcommittee at its 28th session took a number of useful decisions with respect to human rights issues of current concern. Those dealing with "Human Rights in Chile," "The Problem of Torture," and "Procedures for Dealing with Human Rights Violations" are discussed above under those headings.

Under an agenda item "The Adverse Consequences for the Enjoyment of Human Rights of Political, Military, Economic, and Other Forms of Assistance Given to Colonial and Racist Regimes in Southern Africa," the Subcommittee reviewed a preliminary report from Special Rapporteur Ahmed M. Khalifa, who had been commissioned to evaluate this topic. Mr. Khalifa, in introducing his report, emphasized that it dealt mainly with the cases of the Republic of South Africa, Namibia, and Southern Rhodesia. Members of the Subcommittee, commenting on the report, asked the Special Rapporteur to develop, in his final report, a balanced picture of the economic assistance that was being given to the regimes in southern Africa he was studying. It was also suggested that he include practical conclusions and set out guidelines for future action. The final study is to be submitted to the 1976 session of the Subcommittee.

In addition to the above study the Subcommittee, in considering a 5-year work program for 1976-80, examined progress on several other studies and projects also in progress. These included: (1) reports of the Working Group established by the Subcommittee in 1974 to review developments in the field of slavery and the slave trade (a continuing task to be included in the agenda each year); (2) a study on the rights of persons belonging to ethnic, religious, and linguistic minorities (final report due in 1976); (3) a study of the historical and current development of the right of self-determination (final report due in 1977); (4) a study on the implementation of UN resolutions relating to the right of self-determination (final report due in 1976); (5) a study of the problem of discrimination against indigenous populations (final report due in 1977); and (6) a study of the prevention and punishment of the crime of genocide (final report due in 1976).

A study on the exploitation of labor through illicit and clandestine trafficking was submitted in final form by Special Rapporteur Halima Embarek Warzazi, but the Subcommittee deferred consideration of its draft recommendations until its 1976 session.



## WORLD CONFERENCE OF THE INTERNATIONAL WOMEN'S YEAR

The World Conference of the International Women's Year marked the first concerted effort by UN members to promote the attainment of one of the goals set forth in the UN Charter--the elimination of all forms of discrimination on the basis of sex.

The 27th General Assembly in 1972 had proclaimed 1975 as International Women's Year, and the 29th Assembly in 1974 had approved holding the Conference as a principal event of the Year. The 29th Assembly had also established a 23-state Consultative Committee for the World Conference of the International Women's Year to advise the Secretary General on the preparation of an international plan of action to be adopted by the Conference. The Committee met at UN Headquarters from March 3 to 14 for this purpose; Patricia Hutar, U.S. Representative on ECOSOC's Commission on the Status of Women, was the U.S. Representative on the Committee.

Representatives of 133 states and of UN-system organizations, other intergovernmental organizations, and nongovernmental organizations took part in the World Conference, which was held in Mexico City from June 19 to July 2, 1975. Pedro Ojeda Paullada, Attorney General of Mexico, was President of the Conference. Mrs. Hutar served as head of the U.S. delegation; Daniel Parker, Administrator of AID, served as co-head during his attendance, June 19-21.

### World Plan of Action

The most important result of the Conference was the adoption by consensus of the World Plan of Action for the Implementation of the Objectives of the International Women's Year. Adoption of the Plan was a major objective of the United States which had participated actively in developing the draft.

The Plan recommended that the United Nations proclaim 1975-85 as the UN Decade for Women and Development, and it provided guidelines for national and international action to be taken over the next 10 years as part of a sustained, long-term effort to strengthen women's role in national life and to eliminate discrimination against them.

The Plan set minimum targets for the first 5-year period, including marked increase in women's literacy; equal access at every level of education and compulsory primary school education; and increased efforts to eliminate discrimination in terms and conditions of employment. It also called for equality in the exercise of civil, social, political, and legal rights, with

increased participation of women in policy-making positions at the local, national, and international levels. It identified other targets as better health education, nutrition and medical care, and the availability of family planning services; the development of modern rural technology and other means of reducing the heavy workload of women; and recognition of the economic value of women's role in the home, in domestic food production and marketing, and in voluntary activities not traditionally remunerated. The Plan also recommended action at the regional and international levels for the UN system and intergovernmental organizations, and it provided for regular review and appraisal within the UN system of the progress made in meeting the goals of the Plan. Finally, the Conference urged governments and all organizations in the UN system to provide the necessary staff and funds to carry out the Plan.

While the Plan did not cover some areas needed to make it entirely relevant to current U.S. problems and did include some traditional concepts that the U.S. experience has found discriminatory, in general it treated those issues considered important to U.S. women. It provided most nations with sound guidelines for progress if they choose to adopt them.

#### Declaration of Mexico

The Conference also adopted the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace. Introduced by Mexico and sponsored by 74 developing countries, the Declaration was adopted by a vote of 89 to 3 (U.S.), with 18 abstentions. An alternative draft declaration, sponsored by the Federal Republic of Germany, United Kingdom, and United States, was not put to the vote. The latter was a nonpolitical statement of principles that proclaimed equality between the sexes and called for the elimination of obstacles standing in the way of equal status. Among other provisions it asked for equal access to education at all levels, the same opportunities for work and for advancement, and equal pay for work of equal value. It declared that women should have the same opportunities as men for promotion to decision-making positions within all spheres of economic, social, and political life. It said that women should not have forced on them alone responsibility for child-rearing, and it affirmed that women and men should jointly share responsibility toward both society and the family with women becoming more involved in community activities and men participating more actively and responsibly in family life. Finally, it asked for the integration of women in development and called on voluntary organizations, governments, and the international community to support programs to improve the economic and social situation of women.



The Declaration sponsored by the developing countries contained many paragraphs similar to those in the draft cosponsored by the United States. However, other paragraphs linked measures to advance women's rights and status with economic and political objectives that the United States did not accept. The Declaration sought urgent implementation of the "New International Economic Order, of which the Charter of Economic Rights and Duties of States constitutes a basic element" and affirmed the "inalienable right of nationalization." The Declaration also urged women, together with men, to "eliminate colonialism, neo-colonialism, imperialism, foreign domination and occupation, Zionism, apartheid, racial discrimination, the acquisition of land by force and the recognition of such acquisition." The United States, United Kingdom, and Federal Republic of Germany made repeated efforts to negotiate with the developing countries on political and economic points on which there was disagreement, but were unable to pursue such negotiation. In explaining the U.S. vote against the Declaration, Mrs. Hutar said that the United States could not accept the references to the new international economic order or the charter of economic rights and duties of states, which it had opposed in the General Assembly, nor could it accept the inclusion of specific political viewpoints not shared by many delegations, such as the references to Zionism.

### Conference Resolutions

Many of the goals of the World Plan or of the Declaration were also put forward in the form of 35 resolutions, well over half of which were adopted without vote. The United States initiated several of these resolutions, including one on measures for the integration of women in development. This resolution recommended that UN agencies emphasize projects for the benefit of women in much the same way that the 1973 Percy Amendment to the Foreign Assistance Act placed emphasis on programs for women in countries receiving U.S. aid. Other U.S.-sponsored resolutions recommended improved upward mobility for women in UN agencies, increased numbers of women on national delegations to UN meetings, improved education and training opportunities for women, establishment under UN auspices of an International Research and Training Institute for the Promotion of Women, and implementation of the World Population Plan of Action.

The United States supported most of the resolutions although a few, like the Declaration, contained economic or political views that the United States could not accept or considered inappropriate to the question of the advancement of women.

## General Assembly Consideration

There was considerable interest in the World Conference of the International Women's Year during the 30th General Assembly, where resolutions were adopted in the Second and Fifth Committees (see pp. 106, 152, and 350 ) as well as in the Third Committee, which traditionally considers matters concerning the status of women.

The Third Committee considered its agenda items on International Women's Year and the status and role of women in society at 11 meetings between November 26 and December 5; 87 states took part in the debate. Six substantive resolutions and a draft decision were approved on December 5 and adopted by the General Assembly in plenary session on December 15.

The first resolution, introduced by the German Democratic Republic and sponsored by 11 states, inter alia, reaffirmed the principles promulgated in the Declaration of Mexico; called on governments, organizations, and women's groups to intensify efforts to expand and deepen the process of detente and make it irreversible; urged governments to take effective measures toward bringing about general and complete disarmament and the convocation of a World Disarmament Conference; and expressed solidarity with women who contribute toward the struggle of peoples for their national liberation. The resolution, which had little to do with the substance of International Women's Year, was approved in committee by a vote of 73 to 27 (U.S.), with 22 abstentions, and adopted by the Assembly by a recorded vote of 90 to 21 (U.S.), with 22 abstentions.

An omnibus resolution, introduced by the Philippines and sponsored by 32 states, was the principal instrument designed to carry forward the initiatives taken at Mexico City, including the World Plan of Action. Among other provisions, the resolution (1) proclaimed the period 1976-85 "United Nations Decade for Women: Equality, Development, and Peace" and decided to convene a mid-term conference in 1980 to review and evaluate the progress made in implementing the objectives of the International Women's Year; (2) urged governments and UN agencies to take specific steps to carry out the World Plan of Action; (3) established procedures for reviewing implementation of the Plan; (4) decided in principle to establish under UN auspices an International Institute on Research and Training for the Advancement of Women, to be financed through voluntary contributions; and (5) initiated a publicity campaign to support the program.

The United States voted against two paragraphs of this resolution. The first gave blanket endorsement not only to the World Plan of Action but to the



Declaration and to all resolutions that resulted from the Conference. The second, somewhat ambiguous, called for action during the Decade "to implement the World Plan of Action and related resolutions." Because of the unacceptable wording in these two paragraphs, the United States abstained on the resolution as a whole. The United States strongly supported implementation of the World Plan of Action; however, the positions it had taken in Mexico City on the Declaration and certain of the resolutions remained firm. In further explaining the U.S. position, Ms. Maymi said in the Third Committee:

"The United States interprets the phrase 'related resolutions' to refer to those resolutions adopted at the Mexico City Conference which have a direct and relevant bearing on the World Plan of Action. We do not consider as related to the plan, or to the work to be accomplished during the Decade, the political resolutions that were adopted . . . ."

The resolution was approved in committee by a roll-call vote of 97 to 2, with 22 abstentions (U.S.), and adopted by the Assembly by a rollcall vote of 107 to 1, with 26 abstentions (U.S.).

The Ukrainian S.S.R. introduced a resolution entitled "Equality between men and women and the elimination of discrimination against women" that was sponsored by 10 states. In one of its paragraphs it called on states to promote wider participation of women in, among other things, strengthening international peace, settling the problems of disarmament, and elimination of colonialism, foreign occupation, racism, racial discrimination and apartheid, thus contributing to the creation of the most favorable conditions for the complete elimination of discrimination against women. The United States voted against the resolution because it considered that the use of the term "racism" had been unacceptably broadened by the earlier adoption of the resolution defining Zionism as racism (see p. 212). The resolution was approved in committee by a vote of 88 to 2 (U.S.), with 26 abstentions, and adopted by the Assembly by a recorded vote of 102 to 3 (U.S.), with 26 abstentions.

Nigeria introduced a resolution, sponsored by 21 states including the United States, on improvement of the economic status of women for their effective and speedy participation in the development of their countries. The resolution (1) urged governments and organizations to support more vigorously efforts to extend to women facilities now being offered only to men by financial and lending institutions; (2) requested governments to encourage all efforts that will enable women at the lowest level in rural and urban areas to obtain credit and loans to improve their economic

activities and integration in national development; and (3) urged governments, the UN development system, and nongovernmental organizations to incorporate in their training programs, workshops, and seminars, courses designed to improve the efficiency of women in business and financial management. The resolution was adopted without objection in both committee and the plenary Assembly.

Egypt introduced a resolution, sponsored by 30 states, on women in rural areas. Among other provisions it (1) requested the Secretary General to prepare guidelines for nonformal education programs designed to enable rural women to use fully their capabilities and to contribute to the development of society; (2) urged UN organizations and international financial institutions to give special attention to government programs aimed at the full integration of rural women in development; and (3) urged all governments to develop extensive training programs relevant to women. This resolution was approved in committee by a vote of 124 (U.S.) to 0, with 12 abstentions, and adopted by the Assembly by a vote of 132 (U.S.) to 0, with 1 abstention.

Cameroon introduced a resolution on measures for the integration of women in development, which was sponsored by 10 states, including the United States, and adopted without objection in committee and plenary. The resolution recommended that all organs of the UN development system and other international technical and financial assistance programs and agencies (1) give sustained attention to the integration of women in development projects and programs, and (2) assist Governments to incorporate in their development plans, program and sector analyses, and program and project documents, an impact statement of how such proposed programs will affect women as participants and beneficiaries.

Finally the Assembly without objection decided that the voluntary fund established by ECOSOC in 1974 for the International Women's Year should be extended to cover the period of the Decade, and invited ECOSOC to make appropriate recommendations to the Assembly at its 31st session for the fund's continuation. This decision had been sponsored in the Third Committee by 12 states, including the United States.



## SPECIALIZED AGENCIES AND THE IAEA

### WORLD BANK GROUP

#### International Bank for Reconstruction and Development and International Development Association

The membership of IBRD (World Bank) rose to 127 and that of IDA to 116 when New Zealand joined IDA and Grenada and Papua New Guinea joined both organizations during 1975.

The IBRD approved 122 loans totalling \$4.37 billion in 51 countries in fiscal 1975, while IDA extended 68 credits totalling \$1.58 billion to 39 countries. IBRD's disbursements rose by 33% to \$2.0 billion and IDA's by 42% to \$1.0 billion.

IDA commitments rose because additional resources were received under the terms of the Fourth Replenishment. These resources amount to approximately \$4.5 billion over the 3-year period 1975-77. The Fourth Replenishment became effective in January 1975 when the United States officially notified IDA of its participation with a 33% share (\$1.5 billion). Under the agreement reached by 24 member nations in Nairobi in September 1973, the Fourth Replenishment could become effective only after 12 donor members had given official notification of their contributions, and when the amount of contributions notified reached \$3.5 billion, or 80% of the total. At the seventh special session of the General Assembly Secretary Kissinger stated that the United States would join with others in a substantial fifth replenishment of the resources of IDA provided that the oil exporting countries also made a significant contribution. During the 30th General Assembly, the United States joined in the adoption by consensus of a resolution calling on member nations to support such a replenishment of the IDA. (See also p. 105 .)

The IBRD has recourse to borrowings in international capital markets for its financial resources. The Bank's borrowing rose to \$3.5 billion in fiscal year 1975 compared to \$1.85 billion in fiscal year 1974. Within these totals the share of the petroleum exporting countries was \$1,904 million in fiscal year 1975 compared with \$565 million the previous year.

At the request of the Joint Ministerial Committee of the Boards of Governors of the World Bank and the International Monetary Fund on the Transfer of Real Resources to Developing Countries, the IBRD studied the feasibility of establishing a "third window" to provide development assistance on terms intermediate between

those of the Bank and IDA. The Bank response to the Committee's proposal was affirmative because it believed a new source of capital resources was necessary during this period of economic uncertainty. The third window is to be an intermediate lending facility whose terms are softened by the availability of interest subsidies. Contributions are to be made in the form of grants. The IBRD Board of Executive Directors took no final action on this proposed facility before the end of the fiscal year.

The Bank continued to expand its assistance to the least developed countries. The expansion was in line with the policy of providing more assistance to the poorest countries and people. Their needs took on special urgency given the current economic situation. The poorest countries accounted for 38% of total IBRD and IDA commitments.

More than half of all Bank and IDA operations for agriculture, involving commitments of nearly \$1 billion, were for rural development projects designed specifically to increase the productivity of the rural poor. Including education projects and rural roads projects with those in the agricultural sector, the Bank's commitments to rural development totaled over \$1 billion. The Bank's rural development projects are designed to benefit large numbers of rural poor, while earning an economic rate of return at least equal to the opportunity cost of capital; they are comprehensive in their approach to small-scale agriculture, and provide for a balance between direct production and other components; and they have a low enough cost per beneficiary so that they might be extended to other areas, given the availability of additional resources.

While the IBRD has not directly forwarded conventional health infrastructure projects it has initiated project lending in a number of areas that directly affect health, whether through the provision of project components, or through the overall project itself. These areas include population, nutrition, education, rural development, irrigation, and drainage. In addition, the Bank has decided that, within the context of its present lending program, it will systematically analyze the health consequences of the projects it supports.

The Bank also completed major policy papers in the housing and urban transportation sectors and concluded that its activities in these sectors would be concentrated in cities where authorities demonstrate a willingness to consider and implement bold measures to adapt their policies to the mounting pressures of rapid urban growth.



Combined development lending by the IBRD and IDA in fiscal year 1975 focused on the following principal areas:

<u>Sector</u>	<u>Amount</u>	
	<u>\$</u> <u>(Millions)</u>	<u>%</u> <u>of Total</u>
Agriculture	1,857.5	32
Transportation	988.7	17
Industry	790.3	13
Non-Project	520.0	9
Development Finance		
Corporations	504.0	9
Electric Power	503.7	9
Education	223.8	4
Telecommunications	199.0	3
Water Supply and		
Sewerage	145.1	1
Other	213.7	3
 TOTAL	 <u>5,945.8</u>	 <u>100</u>

#### International Finance Corporation

The membership of the IFC remained at 100 throughout 1975.

An affiliate of the World Bank, the IFC encourages the development of private enterprise in the developing countries by lending to and making direct equity investment in private business activities. Since a major contribution to economic development can come from the private sector, the IFC is an essential complement to the lending operations of the IBRD and IDA. The IFC also develops local and regional capital markets and promotes privately owned development finance corporations. These efforts help increase investment opportunities and the availability of capital in order to broaden the ownership of private enterprise.

IFC's total subscriptions in fiscal 1975 were \$107.3 million, of which the United States subscribed \$35.2 million, or 32.8%. Besides capital subscriptions, the IFC obtains funds from repayments of investments, sales of equity and loan investments, net income, and borrowing. During fiscal year 1975, the IFC borrowed \$42.7 million from the IBRD and received \$93.7 million from sales of loans and equity investments. At the seventh special session of the General Assembly, Secretary Kissinger called for a major expansion of the IFC to help the developing countries find new potential sources of capital for their investment needs.

IFC investment commitments totalled \$211.7 million in fiscal year 1975, of which over \$190.6 million was for loans and nearly \$21.1 million for equity investments. Some of the 1975 investments were for iron and steel plants in Argentina, India, Mexico, and Turkey; development finance institutions in Ecuador, Pakistan, and Turkey; manufacturing enterprises in Cameroon, Korea, Paraguay, and Zambia; and cement plants in Brazil, Colombia, and Turkey.

### INTERNATIONAL MONETARY FUND

The membership of the IMF rose to 128 in 1975 with the accession of Grenada and Papua New Guinea. The quotas of these new members brought total Fund quotas to 29.2114 billion Special Drawing Rights (SDR's). The U.S. quota of SDR 6.7 billion represented 22.94% of total quotas. No additional SDR's were issued in 1975.

During 1975 the Fund experienced a continued heavy demand for foreign exchange to help its members meet balance of payments needs. Drawings from the Fund totaled the equivalent of SDR 4.7 billion, as compared with SDR 4.1 billion in 1974. Drawings from the IMF Oil Facility, established in 1974 to assist members in meeting the impact of the increase in oil import costs, made up SDR 3.0 billion of this amount.

### Quota Review

In 1975 the IMF continued its quinquennial review of quotas. Agreement was reached that, in order to enable the Fund to deal more effectively with the expanded needs of its members, total quotas should be increased to SDR 39 billion. The distribution of the increases among members would involve a doubling of the share of the major oil exporters as a group, while the combined share of the other developing countries would be held constant. Thus the collective share of the industrialized and other developed countries would be reduced somewhat. Agreement had been reached on recommending individual quotas by yearend; these recommendations were to be endorsed in January 1976 by the IMF's Interim Committee and presented to the Board of Governors for approval early in 1976. The quota changes would not take effect until the second amendment of the IMF Articles of Agreement (see below) had become effective.

In connection with the agreement on quotas, it was also agreed that (1) the Fund's holdings of each member country's currency would be made usable in the IMF operations and transactions in accordance with its policies, and that (2) as part of the comprehensive amendment, 25% of the increase in member quotas would be



paid in SDR, or, if the Board of Governors so prescribed, in currencies of other members or in the member's own currency. This latter provision would replace the present 25% "gold" portion of the quota subscription.

Finally, as part of the proposed amendments, the majority of voting power required for future amendments and certain other important decisions would be raised to 85%. The United States supported this proposed change.

### Amendments

In 1975 the IMF Executive Directors and Interim Committee worked toward completion of work on a comprehensive package of amendments to the Articles of Agreement of the IMF. By yearend, agreement was nearly complete, and the Interim Committee was to meet in Jamaica in January 1976 to resolve a few remaining issues and give its final approval to what will be the second amendment of the Articles. After that, the amendments will need to be submitted to the Board of Governors for their formal approval, and finally to the individual members for whatever legislative ratification may be required.

The amendment package as it was emerging at yearend is a comprehensive general revision of the Fund Articles designed to update and simplify the Fund, making it more reflective of current realities, and allowing it to be adaptable and responsive to changing needs in the years ahead.

Included are numerous provisions streamlining the operation of the Fund's general account and SDR account. The two central elements of the amendment package, however, are (1) new provisions in the Articles concerning exchange-rate arrangements, and (2) provisions that remove gold from its central place in the IMF system.

The new exchange-rate provisions are based on the U.S.-French understanding reached at the November meeting of the heads of government of the United States, the United Kingdom, France, Germany, Japan, and Italy in Rambouillet, France. A new Article IV will replace the obsolete par value arrangements of the present Articles. It in effect legalizes current exchange-rate practices, including floating rates, allowing wide latitude to individual countries in the choice of exchange-rate arrangements best suited to their own circumstances, so long as they fulfill certain general obligations to follow internationally appropriate policies. In so doing, it focuses attention on the need to achieve underlying stability as a prerequisite to exchange-rate stability. The new Article provides for a possible future return to a general system of par

values, but only with agreement of members with 85% of the voting power in the IMF, and with provision that individual countries may still opt not to establish par values.

The amended Articles abolish the official price of gold; eliminate requirements to use gold in transactions with the IMF; eliminate the Fund's authority to accept gold (unless agreed by an 85% majority vote); and provide authority for the future disposition of the IMF's remaining gold holdings (by 85% majority vote).

In addition, it was agreed in 1975 that the Fund utilize its present authority to replenish its currency holdings in order to begin promptly to dispose of one-third of its gold holdings. One-sixth, or 25 million ounces, will be sold at public auction, the profits over the official price to be used to finance a Trust Fund to provide balance-of-payments assistance to the poorest developing countries (see below). The other one-sixth will be distributed to member countries, in proportion to their quotas, at the official price.

### IMF Resources

In 1975 the IMF moved in several areas to enhance its capacity to serve as the first line of official multilateral financing for its members.

In December 1975, the IMF Executive Directors issued a decision effecting a major liberalization of the IMF Compensatory Financing Facility (CFF). The CFF, first established in 1963, provides access to the Fund's resources to member countries suffering from balance of payments difficulties resulting from shortfalls in export earnings. The CFF is available to all members, but intended mainly to benefit developing countries and others relying on the export of primary products. Access provided through the CFF is in addition to that available through standard IMF drawing policy.

The new decision substantially increases maximum access to the facility in relation to quotas, relaxes restrictions on methods used to calculate export shortfalls, and establishes procedures that will allow prompt access to the facility. Such a liberalization was the main element of the U.S. proposal at the seventh special session of the UN General Assembly for a "development security facility" to help stabilize export earnings of developing countries.

In 1975 the IMF also moved toward the establishment of a temporary Trust Fund for the purpose of extending balance-of-payments assistance on concessional terms to the poorest developing countries. In addition to the



profits from the sale of 25 million ounces of the IMF's gold holdings, the Trust Fund resources might be supplemented by contributions from member countries. A final endorsement of the Trust Fund (which had originally been proposed by the United States late in 1974) was to be given by the Interim Committee at its January 1976 meeting, and its establishment was expected to take place shortly thereafter.

The proposed quota increase, when it becomes effective, will provide a substantial augmentation both of IMF resources and member country access to its credit facilities.

Late in 1975 the Executive Directors were also considering expanding access to Fund resources through its normal credit policy. A decision on a substantial expansion of such access was to be taken at the Jamaica Interim Committee meeting. The expansion would be a temporary one, pending the implementation of the quota increase, and normal IMF terms and conditions would apply. Such an expansion had been proposed by the United States as an alternative to extension of the Oil Facility.

#### FOOD AND AGRICULTURE ORGANIZATION

The FAO Conference held its 18th biennial session in Rome, November 8-27, 1975. The Conference elected Dr. Edouard Saouma of Lebanon as Director General for a 6-year term of office and admitted five new states, bringing the total membership to 136. The new members are Bahamas, Cape Verde, Grenada, Papua New Guinea, and Surinam.

The Conference approved a program budget of \$167 million for the 1976-77 biennium, with emphasis on increased agricultural production in developing countries. The U.S. assessment is \$41,595,000 or 25% of the regular assessed budget.

#### World Food Security

The world food situation during 1975 was heavily influenced by shortfalls in the Soviet Union's production and that country's need to import large amounts of grains from the United States and other countries. As a result, for another year carryover stocks of grains remained very low and the issue of world food security was again uppermost in the minds of many. The United States played an important role in technical working parties to formulate an FAO-sponsored "International Undertaking on World Food Security." The Undertaking called for member governments to work together in developing national stock policies and reserves which,

in the aggregate, would provide a minimum level of security in food grains. It also called for consultations among governments in the event of serious shortfalls of food supplies. The Undertaking was approved by the FAO Council and the Conference. The United States was one of 59 governments (not including the U.S.S.R. or the P.R.C.) that agreed to the Undertaking, including suppliers of about 95% of world cereal exports.

The United States participated in the establishment of a new FAO Committee on World Food Security as a result of a resolution of the 1974 World Food Conference. The terms of reference, duties, and membership of the committee were worked out by an Ad Hoc Consultation on World Food Security held at FAO Headquarters in May. In concert with other developed country participants, the United States endeavored to have the new committee amalgamated with the existing Committee on Commodity Problems because of a substantial overlap in their concerns, but the strong preference of the developing countries for a separate committee prevailed. The recommendations of the Ad Hoc Consultation were accepted by the FAO Council and Conference and the new Committee was established.

Working arrangements were also established during the course of the year, with U.S. support, for the Global Information and Early Warning System on Food and Agriculture that was envisaged by the World Food Conference.

In general, U.S. delegations to meetings of FAO bodies stressed that real world food security depends on increased production of food crops in developing countries, particularly those in which food shortages have been a chronic condition. This view was generally accepted and so expressed in official reports.

#### FAO and a New International Economic Order

Resolutions adopted by the UN General Assembly at its sixth special session in April 1974 on a "New International Economic Order" have had repercussions in meetings of FAO committees and governing bodies since then. The FAO Secretariat prepared a document on longer-term trends and policies for the FAO in the light of recommendations of the World Food Conference and the "Declaration and Program of Action on the Establishment of a New International Economic Order." This paper was used as a basis for discussions by the Council and Conference in November 1975. The Secretariat observed that these UN actions might be considered the most authoritative expressions of government views regarding development objectives, priorities, and policies in this area, and suggested that the Conference adopt them as guides for FAO policies and



programs. The Mexican delegation led a number of developing country delegations in support of this proposal.

Although it agreed in general on the food and agricultural portion of the resolutions adopted at the seventh special session of the UN General Assembly, the United States, in concert with other developed countries, expressed serious reservations on the use of the so-called "New International Economic Order" as a basis for FAO policies and programs. The resolution finally adopted by the Conference on this subject was one which the United States could accept, since it expressed agreement with a new international economic order as an objective to be worked toward rather than as an already agreed program. It provided that the Conference affirm its belief "that the FAO should play a fundamental role in the UN system for implementation of a new international economic order in the field of food and agriculture," and requested a review of the relationship between the prices of agricultural and industrial products and how to achieve greater price stability and access to markets for agricultural exports from developing countries.

#### Agribusiness and Private Investment for Food and Agricultural Development

One of FAO's major activities, supported by the United States, is the facilitation of the flow of investments, both public and private, into food and agricultural projects and enterprises in developing countries. At the FAO Conference in November 1975, the United States participated in a wide-ranging debate on this subject and supported a resolution proposing more FAO aid for food processing industries in the developing countries. The United States stressed the view that private investment and enterprise in the food industry could build on agricultural production--thus making more food available where produced and increasing employment opportunities in rural areas. The United States also supported a resolution that focused on expanded research needs--not only on crop production but also on marketing and processing for crops grown in the developing countries.

#### World Fertilizer Situation

Following the acute fertilizer shortage and constantly rising prices which led to the establishment in July 1974 of the FAO International Fertilizer Supply Scheme (IFS), world fertilizer prices started to level off during the last quarter of 1974 and showed clear signs of a downward trend at the beginning of 1975. The decline continued for most fertilizers until the end of August, when the price was lower than that

prevailing at the beginning of 1974. The new situation, with a relatively cheap and abundant supply of fertilizer, would under normal conditions have made it easier for developing countries to cover their import requirements. However, many developing countries still faced serious problems in meeting their needs owing to the sharp deterioration in their balance of payments positions.

By the end of October 1975, IFS had been instrumental in organizing fertilizer shipments to Africa, Asia, and Latin America worth roughly \$63 million at prevailing market value and transport rates. The United States elected to deal with the fertilizer problem on a bilateral basis rather than through the IFS in order to make the most efficient use of its resources. Working parallel to the IFS, the United States supplied on concessional terms approximately \$65 million worth of fertilizer to 13 countries in South Asia, Equatorial Africa, and Latin America.

The second session of the FAO Commission on Fertilizers, which the United States attended in June 1975, reviewed the changing market situation and the outlook for supply, demand, and prices. The Commission sought ways of mobilizing additional financial assistance for production and expanding the use of chemical and organic fertilizers in developing countries, and it recommended continuation of the IFS for one more year.

A general fertilizer information system and fertilizer trade for the benefit of developing countries are being promoted jointly by FAO, the International Fertilizer Development Center, and the Tennessee Valley Authority.

### Agricultural Research

FAO's increasing role in strengthening national agricultural research in developing countries involved the organization's Research Development Center in more than 300 projects in 80 countries during 1975. In coordinating support for agricultural research at the international, regional, and national levels, the Center cooperated in organizing consultant missions to a few small developing countries and an Expert Consultation on Agricultural Research in Latin America, held in Panama. The United States provided experts for such missions and consultations upon request.

FAO also continued to supply the secretariat for the Technical Advisory Committee of the Consultative Group on International Agricultural Research (CGIAR), an international body of donors sponsored by FAO, IBRD, and UNDP. The United States, as an active member of CGIAR, participated with 26 other donor nations, banks,



foundations, and international organizations in supporting the activities of a dozen research centers and programs around the world.

Direct FAO support of agricultural research includes its participation in the Joint FAO/IAEA Division of Atomic Energy in Food and Agriculture, which seeks to solve problems of production and protection of food through nuclear techniques that do least harm to the environment. The United States furnished an Acting Director of the Joint Division for a year while the Director was absent for study. Other technicians and expertise were supplied to the Joint Division on request.

In a separate activity, FAO set up in 1975 a special unit to coordinate and improve worldwide remote sensing activities. By the end of the year, remote sensing had been introduced into more than 100 FAO field projects in some 40 countries. The United States supplied photographs and other data from the LANDSAT and other satellites, as well as assistance in remote sensing from aircraft.

### Genetic Stocks

During 1975 FAO conducted a variety of activities on genetic resources of importance to the United States. On the animal side the International Bull Semen Donation Scheme, under which countries with advanced cattle industries donate semen for cattle improvement in developing countries, made significant progress. An FAO semen bank to facilitate distribution was established in Finland and semen from this source was donated to Iran, Burma, and Sri Lanka. Negotiations for establishing semen banks in other countries were pursued. A cooperative project begun in 1974 for testing different strains of Friesian cattle was continued. Semen has been made available for the project by the United States and nine other countries.<sup>30/</sup>

On the plant side, several exploration missions were carried out: African rices, millet, and sorghum were collected in West Africa; cereals in North Pakistan and North Africa; and grain legumes in the Andean zone of Peru. In addition, the International Board for Plant Genetic Resources (IBPGR), sponsored by CGIAR and headquartered in Rome, began in 1975 to serve as a clearing-house for the collection and exchange of genetic resources in agriculture. The development of the

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<sup>30/</sup> Canada, Denmark, Federal Republic of Germany, Israel, Netherlands, New Zealand, Poland, Sweden, and the United Kingdom.

Communication, Information, Documentation System for Genetic Resources also made considerable progress under joint financing by FAO and the IBPGR.

The United States continued to emphasize the need for increased attention domestically and internationally to the worldwide collection and preservation of germ plasm of all types of plants. With progress in plant breeding dependent upon the availability of the broad genetic variability that exists in primitive or wild relatives of crops, and with the increasing disappearance of this natural variability due to increasing land use, worldwide coordinated action is required to preserve the genetic variability of crop species within the limited time still available. The United States therefore strongly supported FAO's efforts in this field and cooperated in the program.

### Pesticides

A resolution of the World Food Conference in 1974 called on FAO to convene on an urgent basis an ad hoc government consultation on pesticides to recommend ways and means of promoting pest control on a global basis. The Ad Hoc Consultation was held by FAO in Rome in April 1975 and attended by representatives of 50 countries, 30 organizations, and the chemical industry. U.S. experts from the Department of Agriculture, the Agency for International Development, the Environmental Protection Agency, and several land-grant universities participated actively in the Consultation, as well as in activities of the Committee of Experts on Pesticides in Agriculture which met both before and after the Consultation.

FAO's work on pesticides is closely related to activities in plant quarantine, control of pests and diseases in growing crops, and post-harvest losses. Pesticides are a major factor in crop production. FAO has estimated that nearly \$5 billion is expended annually by agriculturally developed countries for pesticides to protect against crop losses. In developing countries where crop losses range from 35% to 50% or more, the efficient use of pesticides can substantially decrease both production and post-harvest losses. Emphasis on such aspects of world food production was advocated by the United States at the World Food Conference, the FAO Conference, the seventh special session of the UN General Assembly, and other forums. The FAO Conference in November 1975 supported current and proposed pesticide programs and agreed that "further reduction of post-harvest food losses in developing countries should be aimed for as a matter of priority with a view to reaching at least a 50% reduction by 1985." This reflected a proposal made by Secretary of State Kissinger at the seventh special session.



## Role of Women in Rural Development

The June 1975 session of the FAO Council adopted a resolution that recognized the key role of women in agricultural development, called on FAO to take action to assure the full integration of women in all FAO programs and projects and to assure greater and more equitable participation of women in professional positions in all units of FAO, and expressed the intention of the Council to review progress periodically. The United States contributed a substantial part of this resolution. It was reaffirmed and even strengthened when the FAO Conference in November adopted without dissent a resolution on this subject introduced by Sweden and sponsored by 18 countries, including the United States.

## Improvement of Human Nutrition

In addition to continuing projects, FAO activities in nutrition in 1975 were directed primarily toward coordinating within the UN system the implementation of recommendations by the 1974 World Food Conference. These recommendations--concerning intersectoral nutrition planning, global nutrition surveillance, and applied nutrition research--had been proposed by the United States at the World Food Conference. AID participated in meetings of international and national agencies convened by the FAO in March and October concerning intersectoral food and nutrition planning and applied nutrition research.

In June the United States took part in the first session of an ad hoc Committee on Food and Nutrition Policies that was established by the FAO Council to review the organization's activities in this area<sup>31/</sup>. Both in this Committee and in sessions of the Council and the Conference, the United States supported greater coordination among the organizations of the UN system and an increase in FAO's program and budget for nutrition, but urged the need for program balance and additional expert review of specific proposals. This was also the consensus of a half-day discussion by the FAO Conference in November, in which 27 countries took part.

The United States contributed technical resources as well as expert advice to FAO nutrition activities. Manuals and training materials developed by AID for training nutrition planners were made available to FAO on request. Also, because one specific planned activity (the development of tables of food composition) would

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<sup>31/</sup>Participation was open to FAO Council members; in June the Council decided that future sessions should be open to all FAO members.

duplicate work already well advanced in the United States, the United States offered to cooperate informally with FAO on this effort, and arrangements for such cooperation were initiated.

### Forestry

FAO has proposed a major effort in tropical forestry. Many facets of this program are directly in line with U.S. concerns for meaningful development of forest resources while protecting the delicate environmental balances inherent in the tropical forest ecosystem. In complete agreement with overall U.S. forestry interests, the proposed programs are to improve the capacity of the lesser developed countries to grow, harvest, process, and market forest products.

Pulp and paper production capacity in the world is a problem of concern to FAO. Proposals are being developed for use of mixed tropical hardwoods for both pulp and paper manufacture. The United States is solidly behind this effort, and through AID funding a project is under way at the U.S. Forest Products Laboratory to produce and test pulp and paper products made of mixed woods from the Philippines. FAO is also urging the design of smaller scale mills keyed to local consumption needs. Such efforts should reduce the pressure on world markets for pulp and paper and should relieve the need for developing countries with forest resources to use their foreign exchange for paper products.

### Fisheries

During 1975, the United States encouraged the Department of Fisheries and other FAO fishery bodies to address the need for modifications in their activities in light of the changes in world fisheries expected to result from the Law of the Sea Conference. Several special working groups of member states were established to consider these matters, including a subcommittee of the FAO Department of Fisheries and various regional fisheries bodies.

### World Food Program

The WFP, sponsored jointly by FAO and the United Nations, has specialized since its beginning in 1963 in the use of multilateral food aid for social and economic development and for emergency relief. These activities were continued and strengthened in 1975 as the result of increased resources, and the Program's



organization and responsibilities were broadened in response to recommendations of the 1974 World Food Conference.

At its March 1975 session, the Intergovernmental Committee (IGC) of the WFP, which is responsible for the administration of the Program, worked out the terms of its own reconstitution as a Committee on Food Aid Policies and Programs. Its added policy responsibilities include (1) recommending to governments improvements in program priorities, commodity composition of food aid, and related subjects; (2) formulating proposals for improved coordination of multilateral, bilateral, and nongovernmental food aid programs, including emergency food aid; and (3) reviewing periodically the implementation of the recommendations made by the World Food Conference on food aid policies. In order to perform the new functions in addition to continuing the supervision of the WFP, it was decided that the Committee be enlarged from 24 to 30 member states, half to be elected by ECOSOC and half by the FAO Council, as before. The United States and most other IGC members had opposed any greater enlargement of the new Committee, and they had also agreed that the Committee would not exercise authority over the food aid policies of other bodies or governments. The terms thus agreed on were approved in November by the UN General Assembly at its 30th session and the FAO Conference at its 18th session. The reconstituted Committee, to become operative in 1976, will report annually to ECOSOC and the FAO Council, and it will submit periodic and special reports to the World Food Council. (See also p. 145.)

The United States opposed WFP allocation of larger amounts of its resources to emergency assistance at the expense of development projects, but the IGC nevertheless increased the Program's 1975 allocation for emergency assistance from \$15 million to \$55 million and established the level for emergencies at \$40 million for future years. In addition, and as recommended by the World Food Conference and the seventh special session of the General Assembly, the IGC endorsed an interim emergency reserve of 500,000 tons of food to be channeled through the WFP pending the establishment of a world food grain reserve system.

Owing to the global need for food aid, the United States shipped an estimated 231,900 metric tons of food at WFP request during 1975, completing the portions of previous pledges held over and meeting a substantial part of its \$140 million pledge for 1975-76. The pledge target for the biennium was \$440 million in food, cash, and services. This target was surpassed during 1975. The United States supported the establishment of a target of \$750 million in pledges for 1977-78 on the basis of expected increases in contributions and the

capacity of the WFP to make good use of the resources. This sum was recommended by the IGC and subsequently approved in November by ECOSOC, the FAO Conference, and the UN General Assembly. The United States also announced its intention to increase its own pledge for that period.

## INTERNATIONAL LABOR ORGANIZATION

With the admission of Swaziland in 1975, the ILO's membership rose to 126.

### Structure of the ILO

The ILO has three major organs: the International Labor Office (secretariat), the 56-member Governing Body,<sup>32/</sup> and the International Labor Conference. The Constitution defines a separate role for each, but does not designate any one as supreme. The relationship is an interlocking one of checks and balances rather than that of a hierarchy.

The Governing Body and the Conference are tripartite, being composed of representatives of workers, employers, and governments. The United States holds that the basic mission of the ILO is the voluntary negotiation by these three groups of solutions to the problems of working people. If such negotiation is to produce viable solutions, the representatives of the workers and employers must be freely chosen by their constituencies so that they will represent the interests of these groups.

The Governing Body, which is the executive arm of the ILO, has a higher degree of authority than some other UN specialized agency executive bodies. It appoints the Director General, fixes the Conference agenda, examines allegations of violation of freedom of association, reviews and recommends the budget for Conference approval, and sets the schedule of all ILO meetings. On the other hand, the members of the Governing Body are elected by the appropriate worker, employer, and government groups of the Conference, except for 10 government members who hold seats automatically as representatives of the states of chief

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<sup>32/</sup> The 57th Conference in 1972 decided to enlarge the Governing Body from 48 to 56. The amendment to the ILO Constitution effecting this change came into force in November 1974. The first elections to the enlarged Governing Body were held during the 60th Conference in 1975.



industrial importance. The quasi-permanence of these 10 seats<sup>33/</sup> gives the Governing Body continuity and stability. Because the method of selection of the worker and employer groups of the Governing Body makes them more genuinely representative of free trade unions and autonomous employers associations than the corresponding groups of the Conference, the Governing Body has been the more important force in resisting attempts to distort the tripartite structure of the ILO.

The Conference, in which all member states are entitled to be represented by tripartite delegations, has as its primary constitutional responsibility the setting of international labor standards. Nevertheless, it has come to divert increasing amounts of its attention away from this responsibility toward general political problems that bear little direct relationship to labor standards.

Some governments, prominent among them the U.S.S.R., wish to alter the structure of the ILO by transferring a large measure of the Governing Body's authority to the Conference. The proposed changes include giving the Conference the authority to appoint the Director General, eliminating the Governing Body seats for members of chief industrial importance, and the mandatory assignment of representation in all bodies of the ILO on the basis of geographical areas. This would impinge seriously on the right of the workers and employers respectively to choose their own representatives within the organization. The United States believes that these and other proposed changes would bring increased instability and politicization to the organization.

In 1974 the Conference examined the various proposals for altering the structure, but was unable to reach a consensus, and asked the Governing Body to convene a working party to study the issue. The working party met in 1974 and 1975 but it also failed to reach a consensus. The Governing Body scheduled further sessions to be held in 1976.

### Enforcement of International Labor Standards

The supervision and enforcement of international labor standards is one of the ILO's major activities. Over the years, the ILO has built up supervisory and enforcement machinery which, although complex, provides a fair and effective means of determining the extent to which the standards are enforced. Governments make

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<sup>33/</sup> Canada, China, France, Federal Republic of Germany, India, Italy, Japan, U.S.S.R., United Kingdom, United States.

regular reports to the organization concerning their own labor laws and practices and are liable to challenge by worker and employer organizations, or by other governments, for violations of standards they have ratified.

Allegations of violations are first examined by committees of experts composed of eminent jurists from all parts of the world who gather evidence from the parties concerned and utilize procedures providing a large measure of safeguard. The findings of the committees are reviewed by the Governing Body or by the Conference Committee on the Application of Conventions and Recommendations, and are finally judged by the plenary session of the Conference. Those cases in which it is found that a violation has occurred are made known to all ILO members. Although the process is lengthy, and relies solely on public exposure for its force, experience indicates that governments respond to the process, often by bringing their law and practice into conformance with the ILO's standards.

In 1974, however, the Conference elected to disregard the ILO's supervisory machinery and, proceeding from political motives, adopted resolutions criticizing Chile and Israel for alleged violations of standards, without first determining the accuracy of the allegations. In 1975 Chile received an ILO factfinding mission, which reported to the Governing Body and the Conference. A resolution condemning Chile was again adopted; the U.S. Government and employer representatives abstained. The United States abstained because the provisions of the resolution went beyond the scope of the underlying reports and their findings. Consideration of the Director General's report on his investigation of alleged Israeli violation of Arab rights was postponed until 1976.

#### 60th International Labor Conference

The 60th session of the Conference was held in Geneva, June 4-25, 1975. The Conference adopted a convention on migrant labor calling for better treatment of such workers and also for a transfer of economic resources that would eliminate the need for migrant labor. The U.S. Government and employer delegates abstained because the convention did not deal with illegal migrants. (U.S. worker delegates had left the Conference already--see below.) The Conference also adopted a declaration of women's affairs on which the U.S. Government and employer delegates abstained because of an unacceptable reference to the "new international economic order." The United States supported a convention on treatment of rural workers.



The United States was successful in having the costs of the Working Party on Structure included in the regular budget instead of being covered by an increased assessment; it was also successful in keeping proposed structural changes (which it thinks may be adverse to the ILO) left in committee for further consideration. On the other hand, the United States was able to bring about only a slight reduction in the proposed budget before it was approved, at the level of \$143,982,000 for the 1976-77 biennium.

The main issue at the Conference was the question of granting observer status to the Palestine Liberation Organization. The United States had earlier been successful in requiring an amendment of the ILO Standing Orders before admitting the PLO, which had delayed the outcome for a year, but in the end the ILO, following its legal procedures, voted at the Conference in 1975 to seat the PLO. This led to a walkout by the U.S. worker delegates for the remainder of the session; the U.S. Government and employer delegates walked out, as a demonstration of solidarity with the worker delegates, but returned the next day. Delegations from a few other countries also walked out for 1 day.

### Governing Body

The Governing Body met three times in 1975. It approved the 1976-77 budget, agreed to convene in 1976 an ILO-sponsored World Conference on Employment, received reports on investigations of alleged violations of human rights in Chile and Israel, discussed reports on in-depth reviews of ILO personnel structure and decentralization of the ILO, and agreed to hold a regional meeting in Africa. On the PLO issue, the Governing Body took no position on substance, but provided technical advice to the Conference on the different methods by which the PLO could be granted observer status.

### Notice of Intent to Withdraw

Following the June Conference, several meetings were held among representatives of the U.S. Government, workers, and employers to consider what should be done about U.S. relations with the ILO. After several months of intense review and analysis, it was decided that the United States should give notice of its intent to withdraw. Article 1, paragraph 5 of the ILO Constitution provides that a member may withdraw from the organization on the condition that it has given 2 years advance notice to the Director General and subject to the member having at that time fulfilled all financial obligations arising out of its membership.

This notice, contained in a letter from the Secretary of State delivered to the ILO Director General on November 6, cited four matters of fundamental concern that had influenced the U.S. decision: (1) the erosion of tripartite representation, (2) selective concern for human rights, (3) disregard of due process, and (4) the increasing politicization of the organization. At the same time, the letter said that the United States did not desire to leave the ILO and that it would make every possible effort to promote the conditions which would facilitate continued U.S. participation. The United States said that it would work constructively within the ILO to help the organization return to its basic principles and to a fuller achievement of its fundamental objectives.

Shortly after the letter was delivered to the ILO, a Cabinet-level committee met to agree on U.S. objectives during the 2 years that must elapse before the United States actually decides whether or not to withdraw.

#### UN EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Grenada joined UNESCO in 1975, bringing the number of full members to 136. There was no increase in associate members, of which there are three.

#### Executive Board

While there was no meeting of the General Conference in 1975, there were the customary two meetings of UNESCO's other principal organ, the Executive Board, on which the United States has always been represented. Both meetings were held in Paris: the 97th session, May 5-22, and the 98th, September 15-October 14. The last 2 days of the fall session were held in Egypt, where the Board members observed the progress that had been made in preserving the Nubian and Philae monuments.

In addition to taking a number of significant actions on program matters, the Board made several major policy decisions during 1975. The spring meeting, in particular, was marked by a determined and largely successful effort by the Director General, with the cooperation of the Chairman of the Board (Jamaica), to ensure that it was productive, business-like, and non-political. This was in contrast to the 18th General Conference the preceding fall, which had been marred by several decisions of a political character affecting Israel.

Two controversial items were dropped at the spring session: one, a request by the PLO for permanent observer status, was removed from the provisional agenda,



while the other, relating to allegations of human rights violations by Chile, was postponed. At the same time, however, a normally routine matter--the decision on invitations to be issued to various meetings and inter-governmental conferences being organized for 1975 and 1976--took on special significance because Israel was omitted from the list of proposed invitees to a meeting of experts and a subsequent international conference on the subject of the recognition of higher education studies and diplomas in European countries and Arab states bordering the Mediterranean. The U.S. Board member, Gordon Scherer, voted against this decision which was adopted by a vote of 28 to 1, with 3 abstentions.

Most of the fall session of the Executive Board was devoted to preparations for the adoption of a medium-term plan for 1977-82 and of a draft program and budget for the next biennium, 1977-78. The Board decided that during the next few years the organization's work should be strengthened in the areas of human rights, the establishment of peace, development, the application of science and technology, and the improvement of education. In this connection, partly in response to U.S. recommendations, the Board called for particular attention to be paid to the needs of the least developed countries. Among the highest priorities identified by the Board for the next biennium were the further strengthening of the social sciences, promotion of a more rational utilization of natural resources, expansion of the two-way flow of information, and improvement in the status of women and enhancement of their participation in the development of society.

The major policy decision of the fall session of the Board took the form of a resolution calling upon the next General Conference, scheduled to meet in the fall of 1976, to take steps to ensure that every member state enjoys membership in at least one of the organization's regional groups. Strongly supported by the United States, the resolution reaffirmed "the fundamental principle whereby every member state has the right and duty to participate fully and regularly in the organization's regional and international activities" and recommended to the General Conference that it be guided by the preference of the present members of each regional group.

Although the Board's action constituted an important first step toward reversing the decision of the previous General Conference to deny Israel membership in the European Regional Group, it was not deemed sufficient to enable the President to certify to Congress, as stipulated by an amendment to the 1974 Foreign Assistance Act, that UNESCO had "taken concrete steps to correct its recent actions of a primarily

political character." As a result, the United States made no payments to UNESCO during 1975 and at the end of the year was in arrears by approximately \$23 million.

Consistent with the apolitical, business-like atmosphere carefully cultivated during the previous Board meeting, a controversial item concerning a report on educational and cultural institutions in territories occupied by Israel--a follow-up to a decision of the 18th General Conference--was dropped from the agenda.

Other program actions taken by the Executive Board in 1975 are described in the appropriate substantive sections below.

### Education

The 35th session of the International Conference on Education was held in Geneva, August 27-September 4, 1975, under the auspices of the International Bureau of Education and UNESCO. Delegations from 98 member states, including 20 ministers of education, attended. The U.S. delegation was led by Dr. Terrel H. Bell, U.S. Commissioner of Education. The special theme for the session, "the changing role of the teacher and its influence on preparation for the profession and on in-service training," became the subject of a Conference recommendation to the ministries of education of member states. Another recommendation, strongly supported by the United States, proposed the adoption and application of the International Standard Classification of Education as a basic standard in all international reporting of statistics on education.

U.S. delegations and experts also participated in a meeting of a committee of experts on the recognition of higher education studies, degrees, and diplomas in European states, held in Helsinki, October 20-24; a meeting of senior officials of the ministries of education of the 25 least developed countries, held in Paris, September 8-16; and a symposium of officials in charge of higher education in ministries of education in Europe, sponsored by UNESCO's European Center for Higher Education, held in Bucharest, May 28-30. The latter was the first regional European meeting held since the United States was admitted to that regional group by action of the 18th General Conference in 1974.

In conjunction with worldwide observance of International Literacy Day, an annual event sponsored by UNESCO to focus attention upon the global problem of illiteracy, the Right to Read Program of the U.S. Office of Education, Department of Health, Education, and Welfare, held a national seminar in Washington on September 8, attended by more than 100 representatives of Federal and State governments, educational



associations, state and local education agencies, and community organizations. Assistant Secretary of Education Virginia Trotter and U.S. Commissioner of Education Terrel H. Bell greeted participants and reaffirmed the commitment of the Federal Government to eradicate illiteracy in the United States.

### Natural Sciences

During 1975 the United States participated actively in the numerous meetings and activities of the UNESCO science sector.

The fourth session of the 25-member International Coordinating Council of the "Man and the Biosphere" program (MAB), which was held in Paris in November, reported worldwide progress toward MAB's goal of improving man's partnership with the environment through intergovernmental and interdisciplinary cooperative research, training, and action. MAB participants now number 80 countries, a substantial proportion of which are developing nations. At the Council session, the Deputy Director General of UNESCO commented on the fact that MAB had made a major conceptual contribution to international activities by introducing the principle of an interdisciplinary, problem-oriented focus for action and noted the many cooperative activities already underway within the 14 MAB Project Areas. Project 1, Tropical and Subtropical Forest Ecosystems, includes a regional program, centered in the Ivory Coast, involving 12 nations in Africa and Europe. A number of Latin American and Asian members described plans for Project 1 programs in their areas. MAB Project 8, Biosphere Reserves, has made substantial progress, and several countries announced plans to establish additional reserves. The United States has designated eight areas as biosphere reserves and plans are continuing on the establishment of research, monitoring, and educational programs for them.

Since the number and variety of MAB projects is growing, the Council agreed that guidelines needed to be developed for project formulation. This will greatly aid international communication regarding the projects being planned or underway and how additional countries can be included in them. Representatives from UNEP, WMO, FAO, the International Council of Scientific Unions, and the International Union for Conservation of Nature and Natural Resources reported that the interorganizational cooperation with MAB urged by the Council was taking place and expressed their organizations' support for the MAB program.

The World Science Information System (UNISIST), a long-term program established by the 17th General Conference to accelerate and enhance the worldwide

voluntary transfer of scientific information, held several meetings at which U.S. representatives significantly influenced the direction of the program. In particular, the UNISIST Steering Committee adopted U.S. proposals establishing program priorities, tightening management, endorsing evaluation as an essential component of all projects, emphasizing the development of numerical data handling and dissemination activities, stressing the education and training of users, extending UNISIST to the social sciences, and giving priority to the needs of developing nations.

The United States attended the ninth biennial session of the Assembly of UNESCO's Intergovernmental Oceanographic Commission (IOC), which met in October and took significant actions relating to research and monitoring of marine pollution. A Working Committee for the Global Investigation of Pollution in the Marine Environment (GIPME), open to all IOC member states, was established to continue the development and implementation of the comprehensive marine pollution monitoring activities under the Integrated Global Ocean Station System. A Marine Pollution Monitoring Pilot Project, concentrating on petroleum hydrocarbons, began in January 1975 and will continue for 2 years. In another area of concern, the Assembly approved the establishment of a Working Group on the investigation of the "El Niño" phenomenon, an atmospheric-oceanographic phenomenon which has, among other things, a drastic effect on the anchovy fishing off northwest South America. An IOC association for the Caribbean and adjacent regions (IOCARIB) was established to replace the International Coordination Group which had concerted oceanographic research in that area for 7 years. IOCARIB is an experiment to test the viability of semiautonomous regional groups to coordinate all IOC activities--research, monitoring, data exchange, and technical assistance--within an area.

The International Hydrological Decade ended in 1974. It was a successful effort to intensify the study of water resources and expand the capabilities of developing countries to conduct hydrological surveys, efforts in which U.S. scientists played a significant role. Satisfaction with the results of the Decade led to the establishment of UNESCO's 18th General Conference of an ongoing International Hydrological Program. The United States is one of 30 countries on the Program's Intergovernmental Council, which held its organizational session in April 1975.

The International Geological Correlation Program (IGCP), jointly sponsored by UNESCO and the International Union of Geological Sciences, is a coordinated research program focusing on fundamental problems of geology, with particular emphasis on more effective exploration of natural resources. The United States is



a member of the IGCP Board, which held its third meeting in April 1975, reviewing the progress of 27 approved projects and approving 18 more. Additional meetings have been held throughout the world to implement previously approved projects.

### Social Sciences

American social scientists, both individually and through their learned societies and councils, have been increasingly involved in UNESCO programs, and the United States in 1975 continued its efforts to strengthen and expand the role of the social sciences in UNESCO's work. These efforts were a follow-up to the U.S.-initiated resolution adopted by the 18th General Conference that assigned a high priority to the social sciences for the next decade and called on the organization to integrate the social sciences into UNESCO's programs, with particular reference to medium-term planning and to the restructuring of the organization under the aegis of the new Director General. In response to this resolution, the Director General announced that the Department of Social Sciences would be raised to the level of a separate sector under an Assistant Director General.

While maintaining its traditional focus on expanding international cooperation among social scientists, providing a clearinghouse service in the social sciences, and extending social science teaching and research, UNESCO has also sought to apply social science research and methods to specific problems in such areas as human rights; the construction of peace; social, economic, and cultural development; population trends; the preservation and improvement of the quality of the human environment; and the prevention of drug abuse.

In the area of environment studies, progress was made during 1975 in implementing the important new program authorized by the 18th General Conference, "Man in his Environment--Human Settlements." Among the most significant activities undertaken in this program during 1975 were the creation of a coordinating unit designed to act as a catalyst and to provide expert advice; preparations for UNESCO participation in Habitat; and efforts to expand and improve contacts with the "Man and the Biosphere" program in the natural sciences sector.

During 1975 Americans took part in UNESCO-sponsored symposia and meetings on a wide variety of projects, including the creation of a social sciences component of UNISIST, in conjunction with the development of a computerized data retrieval system for the social and human sciences, and the design of interdisciplinary evaluation models.

## Culture

The International Convention Concerning the Protection of the World Cultural and Natural Heritage came into force in 1975 when Switzerland became the 20th state to deposit its instrument of accession with the Director General. The objective of the Convention, which was a U.S. initiative, is to preserve the world's cultural and natural heritage by stimulating governments to restore, preserve, and protect within their own territories cultural sites and natural areas having universal significance for mankind. At UNESCO's 19th General Conference in November 1976, parties to the Convention will elect members to a World Heritage Committee which will be responsible for administering both a "World Heritage List" of cultural and natural properties considered of outstanding universal value and a "List of World Heritage in Danger."

The UNESCO Executive Board in 1975 drew up plans for several cultural conferences and meetings to be held in early 1976. The United States informed the Director General that it would participate in the meeting of a special committee of governmental experts to prepare a draft international instrument on the exchange of original objects and specimens among institutions in different countries, and in the meeting to prepare an international instrument for the preservation of historic quarters, towns, and sites and their integration into a modern environment. The United States supports the objectives of both of these proposed instruments. However, the United States said it would not participate in a meeting to prepare an international instrument to ensure that people have free, democratic access to culture and participate actively in the cultural life of society. The United States told the Director General that it did not believe it possible or wise to attempt to construct an international cultural policy with universal applicability, given the diversity of the world's peoples and cultures. The United States believes that UNESCO's resources would be better used in assisting individual member states to formulate cultural policies suited to their own particular conditions.

A U.S. observer delegation, headed by the U.S. Permanent Representative to UNESCO, William B. Jones, attended the Intergovernmental Conference on Cultural Policies in Africa, held in Accra, Ghana, October 27-November 6, 1975. One of a series of ministerial-level meetings on cultural policy being sponsored by UNESCO, the Accra conference dealt with the themes of cultural identity, cultural action, and cultural development, as important factors in social evolution in the African context.



## Communications

The concepts of free flow of information and freedom of expression received a setback in 1975 as a result of action taken in Paris at the December 15-22 Intergovernmental Meeting of Experts to Prepare a Draft Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism, and Apartheid. At issue was whether governments should be held responsible and accountable for the contents and dissemination of news by mass media organizations within their countries. In participating in the meeting, the United States had hoped to counter any trend toward governmental control of the collection and dissemination of news, which is wholly inimical to the American understanding of a free and unfettered press.

The adoption, by a rollcall vote of 33 to 22 (U.S.), with 7 abstentions, of a preambular paragraph to the draft declaration referring to the 30th General Assembly resolution equating Zionism to racism (see p. 212) precipitated a withdrawal from the meeting by the United States, Western European states, Canada, and Australia in protest of both the introduction of this issue and the violation of the meeting's agreed-upon procedure of working by consensus. Following the withdrawal, the Soviet Union, which had initiated the move for the declaration, and the other remaining members adopted a draft text by a vote of 41 to 8, with 3 abstentions. The draft declaration is to be debated and voted on at the 19th General Conference of UNESCO in 1976.

## WORLD INTELLECTUAL PROPERTY ORGANIZATION

The World Intellectual Property Organization (WIPO) was established by a convention signed at Stockholm in 1967 which entered into force on April 26, 1970; the United States is a party to the convention. WIPO is the principal worldwide organization responsible for promoting the protection of copyrights and industrial property (i.e. patents, trademarks, and industrial designs). WIPO is also responsible for the administration of 10 intergovernmental "unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 81 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 63 parties. The United States is a party to the former convention, but not the latter. Other WIPO-administered intellectual property treaties to which the United States is a party are the 1957 Nice Agreement concerning the International Classification of Goods and Services for the Purposes of Registration of Marks, the 1958 Locarno Agreement Establishing

an International Classification of Industrial Designs, the 1971 Strasbourg International Patent Classification Agreement, and the 1971 Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms.

The membership of WIPO rose to 63 during 1975 with the accession of 25 states.<sup>34/</sup>

### Administrative Organization

The Paris and Berne conventions had each provided for an international bureau to serve as secretariat for its union. These were united in 1893, eventually under the name of the United International Bureaux for the Protection of Intellectual Property (BIRPI). Although BIRPI still has a legal existence for states which are members of one of the unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm convention to be the secretariat of WIPO. The International Bureau operates under the direction of the member states through a General Assembly and a Conference which meet triennially. The principal administrative organ of the Paris and Berne unions is the Assembly of each union, consisting of all the member states. The Paris and Berne unions elect Executive Committees from all of their member states and the joint membership of these two Committees constitutes the Coordination Committee which meets annually and is entrusted with the normal tasks of such a governing body. Since the United States is a member of the Paris union Executive Committee, it is also a member of the Coordination Committee.

### Objectives and Activities

One of the two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; and it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin.

The second basic objective of WIPO is to ensure administrative cooperation among the unions. Centralizing the administration of the various unions in the

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<sup>34/</sup> Algeria, Belgium, Benin, Brazil, Chile, Congo, Cuba, Egypt, Gabon, Holy See, India, Japan, Luxembourg, Mexico, Monaco, Netherlands, Niger, Poland, Portugal, South Africa, South Viet-Nam, Togo, Tunisia, Upper Volta, Zaire.



International Bureau helps ensure economy both for the member states and for the private sector concerned with intellectual property.

### Assistance to Developing Countries

In 1975 WIPO's legal-technical assistance program included projects in nine developing countries. The most ambitious of these was a 5-year UNDP-financed project to assist the Government of Brazil in modernizing the Brazilian patent system. WIPO assigned 25 experts from developed countries to the project, which includes training courses in patent classification, searching and examination, assistance in reorganizing the Brazilian patent organization and procedures, and establishment of a usable search file of patent documents. Assistance was provided other countries to help modernize industrial property legislation, establish or reorganize industrial property offices, and train personnel in patent procedures. Work on formulating a Model Law for developing countries on inventions and know-how was carried out both within the International Bureau and in special working committees convened for that purpose.

To further its objective of promoting worldwide protection of intellectual property, WIPO established in 1973 a Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property. This program is directed by a Permanent Committee which plans and provides guidance in the execution of specific projects designed to implement the objective of promoting and facilitating the acquisition by developing countries of technology related to industrial property under fair and reasonable terms and conditions. Activities in 1975 under the Permanent Program included the examination by a Group of Editorial Consultants of the feasibility of an international publication on licensing opportunities. A training course for developing countries on the use of the International Patent Classification was conducted in May 1975 and was attended by officials of 14 developing countries and the African and Malagasy regional industrial property office.

### Revision of the Paris Convention

At the urging of the developing countries and pursuant to a decision by the competent bodies of WIPO in 1974, an ad hoc Group of Governmental Experts on the Revision of the Paris Convention met twice in 1975. The task of the Group of Experts was to study all aspects of the question of revising the Paris Convention, especially additional provisions for special benefits to developing countries. At the first experts'

meeting in February a list of 14 questions on items of possible revision was formulated. These 14 questions were submitted to the WIPO Director General for study and analysis of the issues and possible alternative solutions. The Group of Experts met again in December to consider the WIPO analysis. At this meeting the experts adopted a Declaration on the Objectives of the Revision of the Paris Convention. The United States voted ad referendum for the Declaration after obtaining substantial changes. Further deliberations on the revision of the Paris Convention will be undertaken by the experts in 1976. UNCTAD is also participating in this project as an observer organization. The general U.S. position on revision is that careful consideration should be given to all the factors involved, especially to determine whether certain of the objectives of revision could be accomplished under national legislation.

#### WORLD HEALTH ORGANIZATION

With the admission of Botswana, Tonga, the Democratic Republic of Viet-Nam, Mozambique, and Comoros, the membership of WHO increased to 146 full and 3 associate members. The vote at the World Health Assembly admitting the Democratic Republic of Viet-Nam was 116 to 0, with 8 abstentions (U.S.).

WHO is organized into six regional offices. Countries within each of these regions meet regularly to review and discuss the program and budget proposals for their areas, in addition to other matters of mutual interest. The United States, because of its geographical location, participates in two of the regions-- Western Pacific and the Americas. However, the United States participates in the work of WHO throughout the world. Through consultations at WHO headquarters in Geneva and in regional offices activities are discussed, programs reviewed, and new strategies developed. U.S. contributions to and influence on WHO activities are continuous, with the World Health Assembly serving as the principal forum for reaching decisions.

#### World Health Assembly

The 28th World Health Assembly met in Geneva May 13-30, 1975. Delegations from 135 member states and 2 associate members participated. Most delegates were, as usual, technical people, a majority of them physicians. The discussions of health issues were for the most part carried out at a high professional level. Delegations from developing countries adopted a more active role than in the past, showing a determination to participate fully in the decision-making process.



The Chief U.S. Delegate, Dr. Theodore Cooper, Assistant Secretary for Health, HEW, emphasized to the Assembly that the future could be viewed with optimism because of the new realism with which WHO was facing the problems of providing health care to the world's population. He said that emphasis on improved country health programming was a critically important element in a coherent strategy for the organization. The Director General of WHO, Dr. Halfdan Mahler (Denmark), reemphasized the need for WHO leadership in international health and for a logical system of health priorities in a multidisciplinary setting. He pledged to pursue these aims and promised even more cooperation between WHO and the other multinational and bilateral donor agencies.

### General Activities

The year 1975 saw an intensification of country health programming exercises carried out jointly between WHO and the individual countries. This approach allows for a closer integration of the objectively determined priority needs of the country and WHO assistance and for a more rational allocation of WHO resources. In order to offer more health leadership and assistance to member countries, the organization has begun a program of decentralization, providing more decision-making authority at the regional and country levels. A major review of staffing patterns at the headquarters and at regional and country levels is underway.

During 1975 work began on the sixth Program of Work of WHO (1978-83) which will establish the framework for its activities during this period. The chairman of the working group was the U.S. Representative on the Executive Board, Dr. S. Paul Ehrlich, Jr. In collaboration with the secretariat staff, the working group developed a detailed draft program highlighting future priority areas and closer ties between objectives and programs.

In addition to administering its regular budget of approximately \$120 million, WHO continued in 1975 to act as the executing agency for health and health-related projects valued at \$110 million that were financed by the UNDP, UNICEF, IBRD, the UN Fund for Drug Abuse Control, the UN Fund for Population Activities, regional development banks, and other voluntary contributors.

## Adverse Reactions to Drugs

WHO has taken the lead in organizing an international early-warning system for suspected adverse reactions to drugs. Monitoring centers in 19 countries currently submit information on reported adverse reactions, which is made available to health officials throughout the world. This information is important to the U.S. Food and Drug Administration in determining drug safety and efficacy. The United States also supported the proposed Certification of Good Manufacturing Practices in the manufacture and quality control of drug products moving in international commerce, which was adopted by the 28th Health Assembly. For products imported under this procedure, the national health authorities would certify that the product was authorized for sale in the exporting country.

With respect to drug dependence, a resolution cosponsored by the United States was adopted calling for increased activities in this area and closer collaboration with the UN Fund for Drug Abuse Control. The United States attaches considerable importance to the drug-related studies and research being conducted by the two bodies.

## Smallpox

The smallpox eradication program has continued to make remarkable progress. The only remaining country in the world with endemic smallpox is Ethiopia. With the help of the United States and others, WHO is actively engaged in locating, isolating, and eliminating the last centers of infection. Health authorities have cautioned that close surveillance will be needed for at least 2 years after the last case is identified before total eradication can be finally certified.

## Influenza

One of the most notable achievements of WHO has been its establishment of listening posts around the world for early detection and diagnosis of influenza and identification of new strains of the virus. Prompt action by WHO and collaborating reference centers permits the preparation of appropriate vaccines, often before foreign-originated strains reach U.S. shores. The number of days of illness and the number of lives lost due to influenza are therefore sharply curtailed, and the consequent humanitarian and economic benefits are considerable.



### Schistosomiasis

WHO has had a program against schistosomiasis (snail fever) for a number of years. With the heightened interest in the disease that resulted from a passage in Secretary Kissinger's address to the UN General Assembly in 1974, and in response to resolutions introduced by the United States and other WHO members at the Health Assembly in 1975, WHO began intensifying its efforts in this area. A U.S. spokesman at the Assembly welcomed the new emphasis, but warned that the problem of controlling the disease might be further complicated as a result of the 1974 World Food Conference recommendation that developing countries increase their land area under irrigation. An international conference on schistosomiasis was held in Cairo in October 1975, organized by Egyptian authorities in association with WHO, UNEP, and the United States.

### Research in Cancer

WHO continued its role in international cooperation in cancer research during 1975. The program has been proceeding in close collaboration with the International Agency for Research on Cancer and the International Union Against Cancer. The U.S. delegation to the World Health Assembly expressed satisfaction with the progress made and the emphasis on environmental factors, but urged caution in initiating a wide range of new programs which might have the effect of diffusing limited resources or weakening WHO's special role in key activity areas. The Assembly decided that WHO should continue its efforts to develop an international program by fostering international collaboration, and by coordinating the efforts of national, international, intergovernmental, and nongovernmental organizations. The United States and other members agreed that WHO's unique services could best be applied to such areas as evaluation, standardization of terminology and research methodologies, and the development of a basic information system.

### INTERNATIONAL CIVIL AVIATION ORGANIZATION

In 1975 the Bahamas, Lesotho, Nauru, and Papua New Guinea adhered to the 1944 Chicago Convention on International Civil Aviation, increasing ICAO's membership to 133. ICAO moved to a new headquarters building, International Aviation Square, a few blocks from its former location in Montreal. Walter Binaghi of Argentina, who had been President of the ICAO Council since 1957, decided to retire, and the Council elected the Secretary General, Assad Kotaite of Lebanon, to succeed him.

## Council

The ICAO Council, the executive body of the organization, now consists of 30 ICAO member states, including the United States. The Council, its standing committees, and the Air Navigation Commission meet at ICAO headquarters during a major portion of the year. One of the most important functions of the Council is the adoption of International Standards and Recommended Practices concerned with the safety, regularity, and efficiency of air navigation, in accordance with the terms of the Chicago Convention. During 1975 the Council adopted important amendments to the Standards and Recommended Practices (contained in the ICAO Annexes) on rules of the air, operation of aircraft, facilitation, aeronautical telecommunications, air traffic services, search and rescue, and aeronautical information services. In addition, Annexes concerning meteorology, aircraft accident inquiry, and aerodromes were not only amended but completely revised.

The United States was instrumental in obtaining approval by the Council's Committee on Unlawful Interference of recommendations for upgrading and strengthening regulatory provisions in Annexes on security and protection against unlawful interference aimed at preventing hijacking and sabotage. The proposals will be considered by the Council for adoption as international standards and, if adopted, will be more clearly aligned to U.S. regulations than those currently in effect.

The Council has called a special air transport conference for April 1977. At this meeting tariff enforcement, policy concerning international nonscheduled air transport, regulation of capacity in international air transport services, and machinery for the establishment of international air transport fares and rates will be considered on a worldwide basis.

On the recommendation of its Committee on Joint Support of Air Navigation Services, and as the result of a U.S. initiative, the Council decided to establish a panel to review the air navigation facilities and services in the North Atlantic under the Danish and Icelandic Joint Financing Agreements. This panel will report back to the Committee and the Council in time for them to make recommendations to the next conference of states parties to the Joint Financing Agreements, which includes the United States.

## Air Navigation Activities

Much of the work of ICAO in the various technical air navigation fields originates in panels of experts established and convened by the Air Navigation Commission.



In 1975 the Commission, which consists of 15 air navigation specialists nominated by states (including the United States) established two new panels to prepare documentation for ICAO's Ninth Air Navigation Conference, scheduled for 1976. The Operational Flight Information Service Panel, which met in October, made recommendations for providing aircraft in flight with operationally integrated air traffic information as well as weather and other aeronautical information. Another recommendation was designed to insure coordination of air traffic and weather information. The Data Acquisition, Processing, and Transfer Panel, which met in November, prepared recommendations to simplify completing and submitting flight plans and facilitating the processing and transfer of air traffic services data.

Other technical groups that met in 1975 were the Automated Data Interchange Systems Panel and the Review of the General Concept of Separation Panel. The United States furnished experts to serve on all four of these panels.

The fourth meeting of the Committee on Aircraft Noise, which consists of experts nominated by selected ICAO members (including the United States) and international organizations, was held at ICAO headquarters, January 27-February 14, 1975. The Committee developed specifications for aircraft noise suppression at the source, which if adopted by the ICAO Council will be applicable toward the end of 1976. The proposed specifications, less stringent than those of the United States, include: (1) standards for noise certification of future subsonic jet airplanes, (2) guidelines for noise certification of future supersonic transport airplanes, (3) standards for noise certification of heavy propeller-driven airplanes, (4) standards for noise certification of light propeller-driven airplanes (to replace the current recommended practices in Annex 16 on aircraft noise), (5) guidelines for noise certification of propeller-driven short-takeoff-and-landing airplanes, and (6) guidelines for noise certification of installed auxiliary power units and associated aircraft systems during ground operations.

The Committee also proposed that appropriate modification be made, at the earliest practicable date, of all subsonic jet airplanes engaged in international air navigation which produce noise levels in excess of the relevant limits specified for certain new airplane types. The Committee recommended making those noise-reduction modifications that were regarded by the state of manufacture to be technically feasible and by the state of registry to be economically reasonable. The ICAO Council subsequently approved this recommendation.

The Aircraft Engine Emissions Study Group drafted the framework for proposed ICAO standards covering emissions. Methods of measurement and actual values of emission levels are to be discussed further at the meeting of the study group in 1976.

Another study group was formed to assist the ICAO secretariat in developing specifications required to ensure a high level of safety without unduly impeding the carriage of hazardous materials by air.

With the fall of the Saigon Government of South Viet-Nam in April 1975, it became necessary to reroute air traffic in the airspace formerly serviced by that administration. The ICAO Regional Office in Bangkok developed an interim route structure in conjunction with neighboring states and other principal users of the routes to avoid overflight of Viet-Nam.

The deadlines for proposals describing various systems for a microwave landing system to replace the present instrument landing system, scheduled for submission to the Air Navigation Commission by July 1, 1975, was moved back to December 1 at the request of the Federal Republic of Germany. By that time major proposals were received from the United States, United Kingdom, Federal Republic of Germany, and Australia, and there were indications that other states might subsequently submit proposals as well.

### Legal Activities

The United States was a member of a Legal Committee subcommittee which convened in April 1975 to consider both a revision of the 1952 Rome Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface and a possible new instrument on liability of air carriers for noise and sonic boom damage. The subcommittee concentrated on revising the Rome convention provisions concerning the financial security requirements of the aircraft operator, jurisdiction, enforcement of foreign judgment, and limits of carrier liability. Some progress was made on the first three topics, but little was accomplished with respect to the limits of liability, which the United States believes should either be fixed at a high level or removed entirely. With respect to a new instrument on noise and sonic boom, some governments appeared to favor some form of convention to govern air carrier liability, but there was no consensus on basic points.

In September a Diplomatic Conference was held at ICAO headquarters to consider revising the 1929 Warsaw Convention for the Unification of Certain Rules Relating to International Carriage by Air, as amended by the 1955 Hague Protocol. Draft cargo provisions prepared



by the Legal Committee in 1974 formed the basis of discussion. In addition, the Conference considered substituting the IMF Special Drawing Right (SDR) for gold, in which the limits of liability are presently expressed. The Conference adopted, with U.S. support, four separate protocols which amend the Warsaw convention, the Hague protocol, and the 1971 Guatemala City protocol. Three of the new protocols deal substantively with the SDR change; the fourth contains basic amendments to modernize the cargo provisions of the Warsaw convention as amended by the Hague protocol.

A group of experts met several times during the year to develop an authentic Russian language text of the Chicago Convention. The group expects to have an agreed text by the time of the next ICAO Assembly in 1977.

### Statistical Activities

After preliminary work by the ICAO Statistical Panel in May, the sixth session of the Statistics Division was held in Montreal October 20-November 7. Thirty-two ICAO member states and three international organizations were represented at this meeting, which conducted a detailed and complete review of the ICAO statistical program. The Division recommended that: (1) ICAO study ways to improve its statistical reporting requirements for small-scale commercial air transport operators, (2) a program of reporting on-flight origin and destination statistics be introduced on an experimental basis and eventually replace the existing program of traffic statistics by flight stage, (3) a biennial collection of financial statistics for en route facilities and services be commenced in 1976, (4) a collection of airport financial statistics be introduced by ICAO on an experimental basis for 1976 and 1977, (5) en route traffic movement statistics be collected biennially, and (6) statistics on general aviation flying be collected from states in an annual survey of number of aircraft, number of departures, and total flying hours.

### INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

Austria, the Congo, Ethiopia, Guinea, and Venezuela joined IMCO during 1975, bringing the total membership to 92 full members and one associate member.

IMCO continued in 1975 to provide for cooperation among governments in regulations and practices with respect to those technical questions affecting shipping in international trade. IMCO encouraged adoption of the highest practicable standards for maritime safety and efficient navigation. It also encouraged the

removal by governments of discriminatory practices and unnecessary restrictions affecting shipping engaged in international trade. In addition, IMCO played an important role in abating marine pollution, particularly with respect to oil spills.

IMCO's work is accomplished through several different forums: the Assembly of all members, the Council, and the Committees--Maritime Safety, Marine Environment Protection, Legal, and Technical Cooperation. Proposals developed in the committees are transmitted to the Council and then to the Assembly for final approval.

### Assembly and Council

The ninth regular Assembly of IMCO met in London during November and adopted amendments to the 1948 Convention which established the organization. These amendments institutionalized the Legal Committee and the Marine Environment Protection Committee. They also clarified the relationship between the Council and the Committees and the administrative role the organization plays in the implementation of maritime conventions and codes that have been adopted. In other actions, the Assembly approved a budget of \$11,249,400 for the 1976-77 biennium, and confirmed arrangements that had been made by the Council in June for a new headquarters building to be constructed on the Albert Embankment in London. The Assembly also approved arrangements for intersessional meetings of experts following the initial session in April-May of the International Conference on the Establishment of an International Maritime Satellite System (INMARSAT) and made provisions for a resumed session of the Conference in 1976.

### Marine Safety

A code for the construction and equipment of ships carrying liquified gases in bulk was adopted during 1975. Since such carriage is a growing trade and the United States will increasingly import liquified gases, the international adoption of this code, which closely parallels existing U.S. regulations, is significant not only for safety of life at sea but also for safety of U.S. receiving ports. A large number of small but significant improvements in maritime safety provisions were also adopted.

IMCO made substantial progress in 1975 toward establishing standards for fishing vessel safety. A conference is scheduled for 1977 to adopt a final convention in this field. U.S. law does not presently regulate many aspects of fishing vessel construction



and safety which would be subject to the proposed convention.

The United States participated in preparatory work for a conference to develop standards for watchkeeping and training which is scheduled for 1978. The conference will set forth common, internationally approved standards, identifying the skills and knowledge required by the various members of a ship's crew. Such a convention would be the basis for more uniform manning of ships engaged in international trade.

### Ocean Pollution

In December 1975, a meeting of contracting parties to the 1972 Convention on Prevention of Marine Pollution by Dumping of Wastes and Other Matter agreed that IMCO should provide the secretariat for this convention. IMCO accepted this responsibility and began preparation for a meeting of parties to begin work under the convention.

### Legal Committee

The IMCO Legal Committee held four meetings during 1975. The bulk of the Committee's time was devoted to consideration of proposed conventions on shipowners' liability and on civil liability for discharges of hazardous polluting substances. The Legal Committee has now completed its work on shipowners' liability, and a diplomatic conference for consideration of this subject is scheduled for 1976. The Committee also considered problems in implementation of the 1969 International Convention on Civil Liability for Oil Pollution Damage, which entered into force on June 19, 1975 (the United States is not a party), and questions relating to wreck removal and the regime of vessels in ports.

### INTERNATIONAL TELECOMMUNICATION UNION

The ITU memberships of the territories of the United States, France, United Kingdom, Spain, and Portugal ended on December 31, 1974, as the result of a decision taken at the 1973 Plenipotentiary Conference to limit membership in the Union to independent states. On the other hand, Bahrain, North Korea, Mozambique, and Papua New Guinea acceded to the ITU Convention during 1975 bringing total membership in the ITU at the end of the year to 146.

### Administrative Council

The 36-member Administrative Council, of which the United States is a member, held its 30th session in Geneva, June 7-27, 1975. The Council approved a 1976 assessment budget of 46,564,700 Swiss francs, of which the U.S. share is approximately 7.2%. The Council gave extended consideration to a report prepared by outside experts regarding the organization and management of the Union, accepting certain of the recommendations, rejecting others, and referring some to the ITU Secretary General for further study. The net result is expected to be a more efficiently managed Union with the financial benefits therefrom accruing to the membership.

The Council approved the agendas for two major conferences that the ITU will sponsor. The first, scheduled for early 1977, is a World Administrative Radio Conference for the Planning of the Broadcasting-Satellite Service in frequency bands 11.7-12.2 GHz (in regions 2--Western Hemisphere--and 3--Asia and Pacific) and 11.7-12.5 GHz (in region 1--Europe and Africa). The second conference, currently scheduled for 1978, will be a World Administrative Radio Conference on the Aeronautical Mobile (R) Service. The Council also took certain decisions in preparation for a World Administrative Radio Conference to be held in 1979.

### Regional Administrative LF/MF Broadcasting Conference

The second of two sessions of a regional Administrative Radio Conference concerned with low frequency (LF) and medium frequency (MF) broadcasting in Africa, Asia, Europe, and Oceania was held during October and November 1975. The Conference developed new LF/MF assignment plans for the regions concerned, and extensive U.S. foreign broadcasting operations were accommodated in the new plans.

### Other Permanent Organs

The permanent technical organs of the ITU--the International Telegraph and Telephone Consultative Committee (CCITT), the International Radio Consultative Committee (CCIR), and the International Frequency Registration Board (IFRB)--were all active during 1975.

The Study Groups of the CCITT continued their studies pursuant to the work program for 1973-76 approved for them by the fifth plenary Assembly of the CCITT in 1972. Studies of technical operating and tariff questions with respect to telegraphy and telephony are being undertaken to further development of the technical standards, embodied in recommendations, that largely govern the operation of the world's



telecommunication system. The Africa Plan Committee met in February, and the World Plan Committee met in September together with a working party. The purpose of the Plan Committees is to provide information to members to assist in the organization and improvement of international services. These meetings produced useful work toward this objective.

The Study Groups of the CCIR continued their studies pursuant to the work program for 1974-77 approved by the 13th plenary Assembly of the CCIR in 1974. The CCIR studies and develops recommendations on the technical and operating aspects of all forms of radiocommunications. During 1975 the work was carried out largely by the member countries, looking toward formal meetings of the Study Groups in 1976. Particular emphasis was placed on preparation of the technical bases for the two World Administrative Radio Conferences that have been scheduled.

The essential function of the IFRB is the technical examination and registration of radio frequency notifications, including those for space satellite telecommunication systems, in order to ensure interference-free radio operations throughout the world. The IFRB and its staff continued to carry out this function fully and effectively.

#### Technical Assistance

As an executing agency for the UNDP, the ITU assists developing nations in improving their telecommunication capabilities by the establishment and staffing of training institutes; a program of technical telecommunications seminars; and the recruitment of technical experts from developed countries, including the United States, to advise on specific telecommunications projects and to conduct studies in developing countries.

#### UNIVERSAL POSTAL UNION

During 1975 membership in the UPU remained unchanged at 154 member countries.

The 40-member Executive Council (EC) is the Union's administrative body, and the 35-member Consultative Council for Postal Studies (CCPS) is its technical body. UPU regulations limit EC membership to two consecutive 5-year terms. Since the United States had been an EC member during the interim terms of the Vienna Congress (1965-69) and the Tokyo Congress (1970-74), it was ineligible for membership during the 1975-79 Lausanne Congress term. In its capacity as a Vice Chairman of the CCPS, however, the United States attended the 1975 EC as an observer, without voting rights.

## Executive Council

The first EC meeting after the 1974 Lausanne Congress was held in Bern, Switzerland in May 1975. This was principally an organizational meeting concerned with assignment of studies in conformance with resolutions and decisions of the Lausanne Congress; defining EC and International Bureau (the secretariat) work programs; and clarifying the division of responsibilities between the EC and the CCPS. Among the EC studies of particular concern to the United States are those relating to (1) the method of determining the imbalances of mail exchanged between countries and the establishment of a rate formula for fixing terminal dues; (2) an economic study on the structure of the scale of transit mail charges and on the development of land and sea transport rates; (3) the maximization of air conveyance of mail and revision of basic air mail conveyance rates; (4) the calculation and accounting of internal air conveyance dues; (5) the method to be applied in revision of air mail distances (the present method expires in 1981); and (6) the simplification of the rate structure and conditions for the acceptance of letter-post items.

The EC approved estimated budgets for operating the Union for 1975 (11,610,900 Swiss francs) and for 1976 (12,550,100 Swiss francs).

The UPU Director General reported that the total amount of credits allocated to the UPU for UNDP projects included in the first UNDP programming cycle (1972-76) amounted to \$9,626,334, covering 109 projects--80 of them country and 29 of them intercountry--and included the postal part of projects carried out in association with the ITU. The value of UNDP projects administered by the UPU in 1975 alone was estimated at \$1,650,000. Nineteen UPU member states and one restricted (regional) postal union pledged 369,194 Swiss francs for postal technical assistance under the UPU Special Fund, a voluntary fund in which the United States does not participate.

In accordance with a resolution of the Lausanne Congress, the EC asked a committee of the UPU's International Bureau to prepare a study of the legal, financial, and practical implications of a possible change in the status of seven groups of nonautonomous territories that presently enjoy UPU membership in their own right. These studies concern proposals to eliminate territorial memberships and would affect memberships in the name of French, Spanish African, United Kingdom, and United States territories, Netherlands Antilles and Surinam, and Portuguese Provinces in West Africa and in East Africa, Asia, and Oceania.



### Consultative Council for Postal Studies

The CCPS met in Bern in November 1975. Besides serving as a Vice Chairman, the United States chairs the Council's committee on mechanized and automated processing of letter and parcel post and of postal financial services, and directs 10 of its studies. Among the CCPS studies with special significance for the United States are those concerning computer usage in postal services; standardization of the address location on regular and window envelopes; security of high value items, especially those conveyed by air; the properties of envelopes and items affixed to envelopes as they pertain to the use and effectiveness of Optical Character Reading and Bar Code Reading; containerization of postal items; and the maximization of air conveyance of mails (one of the joint EC/CCPS studies). CCPS studies culminate in the compilation of summary reports and recommendations to the EC or the Congress, which, if adopted, would affect the exchange of international mail.

### WORLD METEOROLOGICAL ORGANIZATION

With the accession of Oman, Qatar, North Korea, the Democratic Republic of Viet-Nam, Cape Verde, and Papua New Guinea, the membership of the WMO increased during 1975 to 145 (133 states and 12 territories maintaining their own meteorological services).

The seventh quadrennial Congress of the WMO met in Geneva from April 28 to May 23, 1975. The Congress, in which all members are entitled to participate, is the supreme body of the WMO and is responsible for determining WMO's major program directions and for adopting its budget. The major program decisions of the seventh Congress are summarized below in relation to WMO activities of importance to the United States.

#### World Weather Watch

The World Weather Watch (WWW), approved in principle by the fourth Congress in 1963, has been in operation since 1967 when a detailed plan was adopted. The central purpose of the WWW is to provide meteorological data on a comprehensive, worldwide basis to improve the domestic weather forecasting systems of member states. The seventh Congress considered and adopted the detailed plan for the WWW during 1976-79 and reaffirmed that it is the basic program of the Organization, providing support for all WMO activities in the field of applications and research.

The Voluntary Assistance Program (VAP) is directly related to the purposes and objectives of the WWW.

Supported by voluntary contributions from WMO members, VAP is essential for filling gaps in the worldwide meteorological network by ensuring the participation of the developing countries. The seventh Congress, while maintaining the essential link between the implementation of WWW and VAP, broadened somewhat the scope of assistance available to include, in addition to the granting of long-term fellowships, (1) activities in the field of hydrology related to the WWW; (2) granting of short-term fellowships for personnel engaged in the WWW activities; and (3) support of short-term training seminars for personnel engaged in WWW activities. During 1975, the United States continued to support VAP, contributing \$1.5 million--\$150,000 in cash and the remainder in equipment, services, and long-term fellowships.

The seventh Congress also considered the desirability of establishing a system for monitoring the operation of the WWW. Concluding that such a system was indispensable for rapid detection of deficiencies and initiation of remedial action, the Congress requested the WMO Secretary General and the Executive Committee to develop and implement a monitoring program.

#### Global Atmospheric Research Program

The research arm of the WWW is the Global Atmospheric Research Program (GARP). It was established in 1967 as a joint undertaking of the WMO and the International Council of Scientific Unions. The seventh Congress reviewed the progress of GARP since 1971 and reaffirmed its basic objectives as (1) increased accuracy of weather forecasting for periods of from 1 day to several weeks, and (2) better understanding of the physical basis of climate. The Congress reviewed the successful completion of the field phase of the GARP Atlantic Tropical Experiment (GATE) and provided for the continuation of the data processing and interpretation of this experiment. (GATE involved, over a 3-month period in 1974, the taking of meteorological observations by satellites, ships, buoys, aircraft, and land stations of 70 countries over a 20 million square mile area of land and sea from the eastern Pacific Ocean across Latin America, the Atlantic, and Africa, to the western Indian Ocean.) The Congress also approved the planning for the First GARP Global Experiment (FGGE) which will build on the experience of GATE and will be the first attempt to obtain, process, and analyze a truly adequate set of global observations. As in the case of GATE, the WMO will assume the central coordinating role for this experiment, while the actual execution will be the responsibility of national programs.



## Weather and Climate Modification

Operating from the premise that the WMO was the appropriate international body with the necessary scientific and technological competence, the Congress agreed that the time had come for the WMO to become more active in the field of weather and climate modification in order to respond to requests for advice from members, the United Nations, and other international bodies. To provide a basic point of departure, the Congress endorsed a statement recommended by the Executive Committee entitled "Present State of Knowledge and Possible Practical Benefits in Some Fields of Weather Modification" and adopted a resolution providing for the development of a Precipitation Enhancement Project (PEP) as an ongoing WMO program. PEP will be divided into three phases: (1) preparation and selection of the areas in which the projects will be carried out; (2) execution; and (3) evaluation. As with other field projects, the WMO's role in PEP will be that of coordinator of national efforts.

## Meteorology and Ocean Affairs

The Congress endorsed the concept--now well established in both scientific and operational circles--of the oceans and the atmosphere constituting inseparable parts of the marine physical environment. WMO is concerned with problems of ocean atmosphere interchange related to weather, climate, marine pollution, sea ice, and conditions of the upper layers of the oceans. The Congress reviewed WMO's cooperation with other international organizations in these activities and provided for their continuation.

## Meteorology and Environmental Pollution

After reviewing the activities of WMO in the field of environmental pollution, the Congress adopted a resolution stressing the desirability of continued close collaboration with UNEP. The resolution requested the WMO Secretary General to take steps to promote the development of techniques for monitoring new pollutants; to promote the application of meteorology and hydrology in air pollution, inland water pollution, and pollution at sea; and to collaborate fully in the development of the Global Environmental Monitoring System of UNEP. The Congress also stressed the need to determine the role played by chlorofluoromethanes in destroying ozone, and agreed that its Global Ozone Monitoring System should be strengthened.

## Meteorological Applications to Agriculture

Responding to resolutions adopted by the UN World Food Conference in 1974, the Congress decided that WMO activities in aid of food production should emphasize improving national capabilities of member countries in applying meteorology to agricultural practices and planning. The approved program consists of two activities. The first, at the national level, gives priority to the development of agricultural networks and services, research on the relationships between crops and weather, and the application of meteorology to agricultural planning. The second activity, at the international level, will involve the development of a plan to provide summarized past and present meteorological and climatological information to the FAO Global Early Warning and Information System on Food and Agriculture.

## Hydrology

The Congress endorsed the continuation of WMO's activities as the responsible international organization for coordinating work in the field of operational hydrology, including such activities as network planning, water information systems, hydrological mapping, design data standardization, and education and training. The Congress also adopted a series of amendments to the WMO Convention, which, after they have been accepted by two-thirds of the member states, will provide a firm constitutional recognition of WMO's role as the international focus for operational hydrology.

## Budget

The seventh Congress adopted an assessment budget of \$40,542,000. As in the past, the Congress permitted some flexibility in the budget resolution, providing for the Executive Committee to increase this figure as may be necessary to take account of changes in UN salaries and allowances, to the extent that the Executive Committee is satisfied that the expenditures cannot reasonably be met by economies within the approved budget. An additional flexibility clause provides for changes in currency exchange rates of an amount not exceeding \$500,000, subject to the approval of members.

Within this quadrennial budget, the Executive Committee, which met immediately following the Congress, established the WMO budget for 1976 at \$9,401,500. The U.S. share, at the rate of 23.57% will be \$2,216,874.



## Organizational Matters

The seventh Congress decided to invite the UN Council for Namibia to represent Namibia as an observer at sessions of the Congress and appropriate meetings of other WMO bodies. It further decided to invite the liberation movements recognized by the OAU or League of Arab States to participate as observers at such meetings, and it decided, by a rollcall vote of 66 to 25 (U.S.), with 14 abstentions, to suspend South Africa from membership in the WMO until it renounces its policy of racial discrimination and abides by the UN resolutions concerning Namibia. Although the United States opposes the policy of apartheid, it voted against this unconstitutional suspension. In the U.S. view, such an infringement of South Africa's rights as a member state will not influence it to change its racial policies, but can have a detrimental effect on the organization.

The Congress reelected Mohammed Fathi Taha of Egypt to serve as President of the WMO until the next Congress in 1979, and also unanimously reappointed David A. Davies of the United Kingdom as Secretary General. Robert M. White, Administrator of the U.S. National Oceanic and Atmospheric Administration and head of the U.S. delegation to the Congress, was re-elected to the 24-member Executive Committee.

## INTERNATIONAL ATOMIC ENERGY AGENCY

The IAEA was established in 1957 following President Eisenhower's atoms-for-peace proposal before the General Assembly in December 1953. The objectives of the IAEA as set forth in its statute are to seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world and to ensure that assistance provided by it, or at its request, or under its supervision and control is not used in such a way as to further any military purpose. The IAEA's membership remained at 106 during 1975. The membership applications of Tanzania, Qatar, and the United Arab Emirates were approved, to become effective upon the deposit of instruments of acceptance.

As in past years, the United States participated in all areas of the IAEA's activities in 1975 and took the initiative in many of its programs.

## Safeguards

One of the IAEA's major functions is to ensure that nuclear materials and equipment intended for peaceful use are not diverted to military purposes. This safeguarding function received a greatly increased impetus and significance from the Non-Proliferation

Treaty (NPT), which entered into force in 1970. Under the provisions of Article III of the NPT, each non-nuclear-weapon state party to the treaty undertakes to place all its source or special nuclear material in all peaceful nuclear activities under IAEA safeguards. By the end of 1975, the IAEA Board of Governors had approved safeguards agreements under the NPT with 62 countries.

During 1975, the Agency instituted a Standing Advisory Group on Safeguards Implementation to advise the Director General on the technical aspects of IAEA safeguards, especially with regard to maintaining their effectiveness in the light of technical developments, to evaluating specific operating methods, to assuring that safeguards techniques conform to the latest international standards, and to identify weaknesses in methods or techniques.

The IAEA, with strong U.S. participation, carried on the safeguards research and development program aimed at coordinating national programs with its own efforts to improve safeguards techniques and instrumentation. The Foreign Assistance Act of 1974 required that "a reasonable amount of the funds authorized by the Act be made available to strengthen IAEA procedures, designed to prevent the unauthorized dissemination or use of nuclear material." In compliance with this requirement, the United States contributed \$200,000 to the Agency for strengthening its safeguards procedures by various methods, including the provision of equipment needed for inspection demonstration or actual inspection use, the support for inspection training on the use of instruments of non-destructive analysis, the provision of experts to visit the Agency for short periods to support specific activities, and the preparation of studies of immediate use to the IAEA Safeguards Division.

### Nuclear Safety and Environmental Protection

The importance and scope of the IAEA's work on nuclear safety and environmental protection continue to grow and to be concentrated increasingly on practical problems arising from the use of nuclear power. The Agency completed in 1975 a general plan for a comprehensive set of safety codes and guides for nuclear power plants. The initial plan calls for 5 codes of practice and 12 safety guides. Continuing to give high priority to the problems of storing and disposing of radioactive waste, the IAEA formulated provisional definitions and recommendations regarding the disposal of such wastes at sea. A meeting of oceanographers in February 1975 began the process of reviewing and revising the definitions which had been transmitted to the



secretariat of the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter.

In response to growing concern about the spread of nuclear reprocessing facilities, the IAEA undertook a study on the environmental, technological, economic, and institutional problems involved in the concept of the Regional Nuclear Fuel Cycle Center. The United States strongly supported the study of this concept and provided specialized expert assistance to promote its initiation.

### Peaceful Nuclear Explosions

In January 1975 a unit was established in the IAEA secretariat to handle all requests for services relating to PNE's; to facilitate the exchange of information on this technology; and to undertake or arrange feasibility, safety, economic, and other relevant studies. The Board of Governors in June 1975 established an ad hoc Advisory Group on Nuclear Explosions for Peaceful Purposes. The group is under the aegis of the Board, but is open to participation by all interested IAEA members. It deals with all aspects of PNE's within IAEA competence, such as procedures for handling any request for PNE-related services, legal aspects and treaty obligations, health and safety matters, and economic aspects, including comparisons with nonnuclear alternatives. The group informs the members on all these aspects so that they may better evaluate their needs, if any, regarding PNE's.

### Physical Protection of Nuclear Material

During 1975 the Agency, with vigorous support from the United States, revised its booklet concerning recommendations for the physical protection of nuclear material and published it as an information circular entitled "The Physical Protection of Nuclear Material." The booklet deals with measures for the physical protection of such materials in use, transit, and storage.

Among the most significant policy actions taken by the General Conference at its 19th session in September 1975 was the approval of a U.S.-initiated resolution that commended the Director General for his timely action in dealing with the matter of physical protection; noted with satisfaction the publication of the aforementioned booklet; welcomed the intention of the Director General to review and bring up to date these recommendations on a regular basis to reflect new and advanced concepts, methods, and facilities; endorsed the Director General's intention to assist member states in planning and strengthening national systems of

physical protection; urged member states to review and strengthen their own systems; and called upon the Director General and member states to consider means of facilitating international cooperation in dealing with problems, such as international transfers, common to all states and requiring international action.

### Nuclear Power and Reactors

This program provides integrated assistance to member states in planning and implementing nuclear power programs for electricity generation and other purposes. The program assists states directly through the technical and economic assessment of programs, the execution of reactor projects, and the supply of nuclear materials. It also collects and disseminates evaluated and systematized information on nuclear power program requirements and proven newer nuclear technologies, and it assesses the future role of nuclear power in meeting world energy demands within the constraints imposed by environmental and financial factors.

The rise in the price of crude oil stimulated earlier planning for the use of nuclear power in many countries, particularly the developing ones, where nuclear reactors smaller than the standard sizes now appear to be economically attractive. In 1975 the IAEA began holding a series of regional seminars and training courses, and it sent a number of missions to member states to advise on planning for nuclear power plants, e.g., specific problems of plant location and safety measures. The Agency also launched the first in a series of 15-week interregional training courses on Nuclear Power Project Planning and Implementation. The first course was held at Karlsruhe, Federal Republic of Germany, and others are to be held at the Argonne National Laboratory in Illinois and at Saclay, France. These courses are designed to train the personnel, particularly from developing countries, who will occupy key positions in project management, operations, and licensing groups. Under its expanded program for training in nuclear power, the Agency also held a seminar to deal with the administrative, economic, and technical problems encountered in the early stages of a nuclear power program.

### Science Programs

The IAEA's programs in food and agriculture, physical sciences, and life sciences, which are implemented by means of research contracts, meetings, publications, and technical assistance, are of continuing interest to the developing countries, which constitute two-thirds of the IAEA membership.



Under the joint FAO/IAEA program on food and agriculture, nuclear techniques were applied to help solve problems of food production and preservation. This program became even more urgent during 1975 because of concern over a potential world food crisis and of the consequences flowing from the energy situation, particularly rises in costs associated with agricultural production. Special emphasis was given to coordinated research programs on the use of fertilizers in producing legumes such as soybeans, on the efficient use of water, on deficiencies of micronutrients in rice growing, and on the conservation of nitrogen fertilizers.

The physical sciences program stimulates research, fosters information and data exchange, and coordinates and develops the efforts of scientists in different countries in a range of problem areas including the physics and chemistry of fission, the application of nuclear techniques, fusion physics, the practical application of activation analysis, various aspects of the production and utilization of isotopes, the chemistry of nuclear materials, and the dissemination of nuclear data. The Agency began a number of improvements in the facilities of the Seibersdorf Laboratory in response to the recommendations of a group of consultants that had convened in 1974.

The objective of the life sciences program is to foster the development of methods and techniques for the application of radioisotopes in medicine and biology. The Agency began a new program to encourage the use of nuclear techniques in various domains of environmental research and, to a limited extent, continued to implement other projects in the life sciences. The Agency sought, where possible, to transfer responsibility for routine medical and biological applications of nuclear science to WHO. Means of closer cooperation with WHO were discussed at an inter-secretariat meeting at Geneva in April 1975.

### Nuclear Information

Since its initiation in 1970, the Agency's International Nuclear Information System (INIS) has established an excellent record in the collection and dissemination of information on the peaceful uses of nuclear energy.

At the end of 1975, INIS activities were covering about 90% of the world's literature relating to nuclear information. Scientific bodies in 46 member states and 13 international organizations were providing materials and information to INIS, which prepared bibliographic indexes, assigns keywords, and makes the data available to members on computer tapes or microfiche copies.

The United States is a strong advocate and supporter of INIS, which continued to demonstrate its usefulness in the international nuclear community.

### Technical Assistance

In connection with the IAEA technical assistance program during 1975, expert services and equipment were provided to member states in Africa, the Middle East, Asia, Latin America, and Europe. Member states benefited from fellowships offered by the IAEA and by the United States and other contributors. The IAEA also organized a number of interregional specialized training courses and study tours for nationals of developing member states and continued to execute a number of projects funded by the UNDP.

The United States considers it important to assist the Agency in maintaining a balance among the different components of its work. It has therefore consistently supported the IAEA technical assistance program over the years through the provision of experts' services, equipment, and fellowships; through the support of IAEA training courses in the United States; and through cash contributions. The total U.S. voluntary contribution to the IAEA for 1975 was \$2.5 million of which \$1,106,400 was in cash to the Agency for the benefit of the membership and \$1,393,600 was in goods and services to individual members for specific projects.

### Budget

The IAEA is financed by means of a regular budget and an operational budget. The former is supported largely by assessments levied on member states according to a scale based on the UN scale of assessments modified slightly to reflect the component of safeguards costs. The operational budget, devoted to technical assistance projects, is supported mainly by voluntary contributions from member states.

The 19th General Conference adopted a total regular budget for 1976 of \$37,002,000. The U.S. rate on the scale of assessment was established at 27.88% compared to its 1975 rate of 27.9%. The General Conference also allocated \$7,072,000 to the Agency's operational program for 1976, of which \$5.5 million was to come from voluntary contributions, with the remainder to be funded from other sources.



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**PART III.**

**TRUSTEESHIP AND DEPENDENT AREAS**

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The consideration of dependent area questions in the United Nations is carried out principally in three bodies--the Trusteeship Council, the General Assembly's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Committee of 24) and the General Assembly's Fourth (Trust and Non-Self-Governing Territories) Committee.

Chapter XII of the UN Charter set up the international trusteeship system and Chapter XIII created the Trusteeship Council. Most of the territories that originally were under the system have become independent. During 1975, New Guinea, formerly administered by Australia, was granted its independence, and the only territory now remaining in trusteeship status is the Trust Territory of the Pacific Islands, administered by the United States. As a result of New Guinea's accession to independence as part of the state of Papua New Guinea, Australia left the Trusteeship Council which, at the end of 1975, was composed of the one remaining administering state (U.S.) and the four permanent members of the Security Council that do not administer trust territories (China, France, United Kingdom, and U.S.S.R.). All of these states are automatically members under Article 86 of the Charter. (The P.R.C., however, has not participated in the activities of the Trusteeship Council.)

Chapter XI of the UN Charter treats of the responsibilities of states for non-self-governing territories that are administered outside the trusteeship system. In 1960 the General Assembly adopted, in resolution 1514, a "Declaration on the Granting of Independence to Colonial Countries and Peoples" and in 1961 established a 17-member Special Committee to make suggestions and recommendations on the progress and extent of implementation of the 1960 Declaration. Enlarged to 24 members in 1962, the Committee in 1975 consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Denmark, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., and Yugoslavia. At the end of the year Denmark withdrew from the Committee and Norway was selected by the Assembly to replace it as of January 1, 1976.

The Committee of 24 annually considers conditions in those territories that, in the view of the General Assembly, have not achieved independence. In 1975 the Committee considered about 30 territories, mostly small ones. While much of its attention continued to be devoted, either directly or indirectly, to the southern African territories of Namibia and Southern Rhodesia,

the Committee paid increased attention to other territories, such as Spanish Sahara, Portuguese Timor, and the U.S. territories of Guam, American Samoa, and the Virgin Islands. The Government of Cuba and others also attempted in August 1975 to have the Committee adopt a resolution on Puerto Rico, which the General Assembly in 1953 had recognized to be self-governing. The Committee, however, by a vote of 11 to 9, with 2 abstentions, decided to postpone action on this proposal until 1976. The Committee also considered a number of issues related to colonialism generally, such as the activities of foreign economic and other interests seen as impeding the process of decolonization, military activities by colonial powers seen as impeding decolonization, and activities by specialized agencies and other UN bodies that might assist the process of decolonization. The Committee's work forms the basis for most of the General Assembly's action in the Fourth Committee on dependent area matters.

The United States was a member of the Committee of 24 until 1971 and continues to discharge its obligations under Article 73(e) of the Charter by reporting to the Assembly through the Committee of 24 on conditions in the U.S. Virgin Islands, American Samoa, and Guam. Nevertheless, the United States takes basic exception to the view that has come to predominate in the Committee that independence is the only acceptable form of self-determination. The United States continues to support the General Assembly's resolution 1541, also adopted in 1960, which enumerates several ways in which non-self-governing territories can attain self-determination. The United States also believes that the timing and manner of self-determination should be decided upon by the people of the territory concerned and the state that has the responsibility for administering it.

The number of non-self-governing territories has steadily declined over the years, and the accession of the Portuguese African territories to independence has relieved the Committee of 24 of a major preoccupation. However, there is still considerable UN interest in those that remain.

The Security Council during 1975 considered colonial problems concerning Namibia, the Western Sahara (Spanish Sahara), and Portuguese Timor.



## TRUSTEESHIP SYSTEM

The Trusteeship Council held its 42nd session in New York in 1975 from May 27 to June 7, when it considered the Trust Territory of the Pacific Islands, and on August 28 and 29, when it considered the Trust Territory of New Guinea. Minister James Murray of the United Kingdom and Ambassador Barbara M. White of the United States were elected President and Vice President of the Council, respectively.

In accordance with the UN Charter, the Trusteeship Council submitted its report on the strategic Trust Territory of the Pacific Islands to the Security Council and its report on Papua New Guinea to the General Assembly.

### TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands is composed of more than 2,000 islands with a combined land area of approximately 700 square miles. The islands are located in the western Pacific Ocean just north of the Equator, ranging from about 1° to 22° north latitude and 130° to 172° east longitude, and are divided into three large groups: the Marianas (with the exception of Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east. The total population at the time of the September 1973 census was 114,973.

The islands came under Japanese administration as a result of World War I and were administered by Japan between the World Wars under a League of Nations mandate. The United States gained control of the islands as a consequence of World War II. On July 18, 1947, the United States and the UN Security Council concluded an agreement making the islands a strategic trust territory under U.S. administration; they have been administered by the U.S. Department of the Interior since July 1, 1951.

During the Trusteeship Council's consideration of the Trust Territory of the Pacific Islands, Ambassador White served as U.S. Representative, and Edward E. Johnston, High Commissioner of the Trust Territory, served as the Special Representative. Senator Wilfred Kendall and Representative Raymond Setik, both from the Congress of Micronesia, served as special advisers.

### Future Political Status

In reporting on developments in the trust territory, Ambassador White discussed the steps taken since

the previous session of the Council toward the determination of Micronesia's future status. She said that formal negotiations had not resumed with the Joint Committee on Future Status of the Congress of Micronesia, although the United States wished to complete the negotiations and the transition to a new status as rapidly as the peoples of Micronesia were willing to move and was prepared to resume the negotiations at any time the Congress of Micronesia so desired.

Negotiations with the Northern Mariana Islands had been successfully concluded with agreement on a "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America" upon termination of the Trusteeship Agreement. The Commonwealth Covenant had been signed on Saipan, February 15, 1975, by Ambassador F. Haydn Williams, the President's Personal Representative for Micronesian Status Negotiations, and members of the Marianas Political Status Commission. On February 20 the Mariana Islands District Legislature had unanimously approved the Covenant. On April 21 the United States had informed the Trusteeship Council of the proclamation by the U.S. Secretary of the Interior establishing June 17, 1975, as the date for the plebiscite to be held in the Mariana Islands District to approve or reject the Covenant. The United States also extended an invitation to the Trusteeship Council to send a visiting mission to observe the preliminary campaigning, the preparatory political education program, the plebiscite, and the subsequent vote tabulation.

In order to assure the objective conduct of the plebiscite, the United States had established the Office of Plebiscite Commissioner and on April 11 President Ford named Erwin D. Canham, Editor Emeritus of the Christian Science Monitor, to serve as Plebiscite Commissioner. As part of his duties he would carry out an objective plebiscite education program as well as supervise the plebiscite. He would be assisted by a special Plebiscite Advisory Committee and a Voter Registration Board, both of which were composed of citizens of the Northern Marianas and included supporters and opponents of the Covenant.

Ambassador White told the Council that if the plebiscite indicated approval of the Covenant by no less than 55%, the Covenant would be presented to the U.S. Congress. If both the people of the Northern Marianas and the U.S. Congress approved the Covenant, it would come into force in accordance with its provisions. The United States anticipated administering the Northern Marianas separately from the remaining districts of the territory as had been done during a previous period in the territory's history. The Trusteeship Agreement would continue to apply to the Northern Mariana Islands, however, and Ambassador White



assured the Council that it was still the U.S. intention that the Trusteeship Agreement be terminated for all parts of the trust territory simultaneously. She explained that under the terms of the Covenant the Northern Marianas would not achieve commonwealth status until the Trusteeship Agreement was terminated; the United States hoped to propose such termination in 1980 or 1981. It was hoped that by then the peoples of Micronesia would have completed the course to self-determination.

The Special Adviser, Senator Kendall, stated that he believed the Congress of Micronesia to be the sole legitimate spokesman for the peoples of all of Micronesia, and that the Congress of Micronesia, through its Joint Committee on Future Status, had the authority to negotiate the future political status for all of Micronesia. He further expressed the view that the upcoming plebiscite in the Northern Mariana Islands District would not give the people of that District the opportunity to compare the alternatives to the Covenant, namely, the Compact of Free Association and the Constitution of Micronesia. He asserted that the United States had knowingly followed a course in Micronesia detrimental to the interests, welfare, and perhaps unity of the remainder of Micronesia.

With regard to the negotiation of a final draft Compact of Free Association, Senator Kendall reported that the current draft had been found unacceptable in several respects: extent of U.S. authority in foreign affairs, the separate status of the Northern Mariana Islands District, and U.S. proposals for continuing financial support of Micronesia. He stated that it was up to the Administering Authority to provide concrete assurances that any resumption of negotiations would prove meaningful. If and when such assurances were offered, the Congress of Micronesia would be prepared to resume negotiations. He further indicated that an advisory referendum would be conducted on July 8 to elicit the wishes of the people in all the districts of Micronesia with regard to the future political status of the Trust Territory. In addition, a constitutional convention was scheduled to convene on July 12.

Senator Kendall's statement prompted Ambassador White to remind the members of the Trusteeship Council that the record clearly showed that the decision to enter into separate status negotiations with the representatives of the Mariana Islands District came after more than 20 years of petitions and statements by their elected representatives expressing the desire of the people of that District to be a part of the United States. She also noted that the Congress of Micronesia's Joint Committee on Future Status had formally indicated in 1969 that it would not oppose a political union which reflected the freely expressed desire of the

majority of the residents of that District. In a subsequent statement she reiterated that the United States had long followed a policy of encouraging the unity of Micronesia, shaping its policies of administration to that end, and that the primary forces for unity--such as the formation of the Congress of Micronesia and the establishment of a constitutional convention--stemmed from U.S. initiatives. The United States continued to support the unity of the Marshall Islands and the Caroline Islands. The United States had proposed an early meeting with the leaders of the Congress of Micronesia and the Joint Committee on Future Status to discuss the full range of questions relating to transition to a new political status, including the levels of U.S. financial aid to be provided during the remaining years of trusteeship. The U.S. invitation remained open, and it hoped that discussion would resume in the near future. 1/

### Other Developments

The matter of the future political status of Micronesia clearly dominated the proceedings of the Council. Reporting on other developments, High Commissioner Edward E. Johnston stated that five of the eight major program departments in the executive branch were headed by Micronesians; that four of five deputy directorships were held by Micronesians; and that 21 of the 38 positions subject to the advice and consent of the Congress of Micronesia were filled by Trust Territory citizens. The number of Micronesian employees had risen by 12.5%. While the economy generally reflected the dollar devaluation and U.S. inflation, there were encouraging signs in agriculture and tourism. The trust territory had already benefited from a number of UNDP projects and the president of the Development Bank of Micronesia had been invited to attend the annual meeting of the Asian Development Bank as an observer. Legislation was pending before the U.S. Congress which would enable the United States to sponsor the Micronesian

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1/ On June 17 the people of the Marianas declared themselves in favor of the Commonwealth as defined in the Covenant by a majority of almost 80%, with 93% of the registered voters taking part. The Covenant was approved by the U.S. House of Representatives on July 21, 1975. By the end of the year the Senate Interior Committee had approved the Covenant and the Committees on Armed Services and Foreign Relations, to which the Covenant had also been referred, had completed hearings.

In the July 8 territory-wide unofficial referendum, only 30% of those registered took part, and the results were inconclusive. The number of those supporting independence and those opposed to it were about even; those voting for and against free association were similarly divided; those in favor of maintaining the present status formed a small majority.



Development Bank's membership in the Asian Development Bank. Mr. Johnston further reported new hospital construction, increased medical training for Micronesians, and a strengthened educational system.

Representative Setik spoke at some length of the economic development difficulties of the territory, which were aggravated by the fact that a relatively small population was dispersed over a vast expanse of ocean. He said that without large amounts of U.S. financial assistance the monetized economy of the island would be too weak to support the economic and social infrastructure currently in place. He further said that the Congress of Micronesia had taken an important step toward orderly and planned economic development by enacting a law calling for the preparation of a comprehensive economic development plan and appropriating matching funds for its initiation. Another factor inhibiting economic development of the territory, he said, was that, despite recommendations to the contrary by the Trusteeship Council, the Congress of Micronesia still had only advisory and review functions in the trust territory budget process.

Senator Kendall also reviewed the actions of the United States with regard to public land and charged the United States with "callous disregard" for the rights of Micronesians. He was particularly displeased over a decision to override the views of the Congress of Micronesia.<sup>2/</sup> Ambassador White noted that there had been differences of view, even among Micronesians, on the preferred means to effect the return of the land, but that the basic fact was that the lands were being returned and that the long-standing and fundamental issue was well on the way to resolution.

### Council Report

In the area of future political status developments, the Council, in its report to the Security Council, noted with concern that the negotiations with the Joint Committee on Future Status had been suspended, but welcomed the expressed U.S. readiness to resume negotiations. The Council looked forward to being fully informed of the results of the advisory referendum and of developments at the constitutional convention, and

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<sup>2/</sup> U.S. policy had been established on Nov. 2, 1973, when the Secretary of the Interior stated that the Government was prepared to return public lands to the districts and hoped the Congress of Micronesia would enact suitable implementing legislation. Legislation was passed by the Congress but was vetoed by the High Commissioner because it failed to meet the requirements of U.S. policy, particularly with reference to previously adjudicated land titles. On Dec. 26, 1974, the Secretary of the Interior issued Secretarial Order 2969, transferring trust territory public lands to district control in accordance with U.S. policy.

it regretted that it was not possible to hold simultaneous consultations in the Mariana Islands District and in the other districts of Micronesia. It took note of the U.S. statement on the Mariana Islands and of the provisions of the Covenant to Establish a Commonwealth of the Northern Mariana Islands, and it accepted with appreciation the U.S. invitation to send a visiting mission to observe the campaign and the conduct of the plebiscite. The Council directed the mission to submit a report on its observations as soon as practicable. It welcomed the assurances that the United States intended to terminate the Trusteeship Agreement for all parts of Micronesia simultaneously and not for one part separately, and it expressed its understanding that the U.S. policy was to terminate the terms of the trusteeship in accordance with the Trusteeship Agreement and the relevant provisions of the UN Charter.

The Council reaffirmed the inalienable right of the people of Micronesia to self-determination, including the right to independence, in accordance with the UN Charter, the Trusteeship Agreement, and the pertinent resolutions of the 15th General Assembly.

The Council noted with concern continuing separatist tendencies in the Marshall Islands and in the Palau District, but further noted that the United States had reiterated its desire to preserve the unity of the remaining districts of Micronesia.

In the economic sphere, the Council welcomed the Administering Authority's statement that a total of \$145 million (expressed in 1975 constant U.S. dollars) was proposed for fiscal years 1976-80 to provide a basic infrastructure for the trust territory, and it hoped this program would be implemented during this period of transition to self-government. It further noted with satisfaction the territory's agreement with UNDP for drawing up a country program and hoped that the U.S. legislation necessary for Micronesia's membership in the Asian Development Bank would be forthcoming. The Council welcomed the creation of the Development Bank of Micronesia. It reaffirmed previous recommendations that the Congress of Micronesia should be given greater authority and responsibility for the preparation and expenditure of the trust territory's budget, and it expressed the opinion that it would not be possible for the trust territory to practice meaningful self-government until the Congress of Micronesia was entitled to exercise complete financial autonomy over its budget.

In the area of social development, the Council welcomed the increase of medical services available to Micronesians, the progress on the new hospitals, and the medical training programs for Micronesians. It noted with concern, however, the continuing imbalance



of wage earners employed in the public sector as compared with the number in the private sector, and it also expressed concern at the large number (2,237) of alien contract workers in the private sector.

### Security Council Action

The Security Council did not discuss the report of the Trusteeship Council on the Trust Territory of the Pacific Islands.

### Committee of 24

The General Assembly's Committee of 24 again considered the Trust Territory in 1975. The United States maintains that the Committee's jurisdiction does not include consideration of the trust territory because the UN Charter provides that all UN functions relating to a strategic trust shall be exercised by the Security Council, and the Trusteeship Council submits reports on the trust territory to it. Therefore, the United States did not participate in the Committee's review, which was largely based on the Trusteeship Council's records of its 42nd session.

On the recommendation of its subcommittee concerned with small territories, the Committee of 24 adopted a report which largely repeated the concerns of the Trusteeship Council report.

Although the General Assembly on December 11 adopted a resolution approving the report of the Committee of 24 as a whole (see p. 314), it neither adopted nor considered any resolution referring specifically to the Trust Territory of the Pacific Islands.

### PAPUA NEW GUINEA

The Trust Territory of New Guinea comprised the northeastern part of New Guinea, north of the Papuan and east of the Irian Jaya borders, and the arc of islands stretching from the Admiralties to the northern Solomons (Buka and Bougainville). The total land area was some 92,160 square miles. As of June 30, 1973, its total population was estimated at 1,871,134. The trust territory was administered in union with the neighboring Australian territory of Papua and the two territories moved toward independence as a single national entity, with a combined land area of 178,260 square miles and a total population estimated at 2,592,505.

The Trusteeship Council reviewed developments regarding the Trust Territory of New Guinea on August 28-29, 1975, and noted the 1974 General Assembly

resolution resolving that the Trusteeship Agreement for the territory would cease to be in force on the date that Papua New Guinea achieved independence. That resolution also requested the administering power (Australia) to notify the UN Secretary General of that date.

On August 29, 1975, the Trusteeship Council noted in its report to the General Assembly that the 1974 Assembly resolution would be fully implemented on September 16 when Papua New Guinea acceded to independence.

### General Assembly Action

On October 10, 1975, the General Assembly adopted by acclamation a resolution admitting Papua New Guinea to membership in the United Nations (see Part I, p. 80).

## U.S. TERRITORIES

### U.S. VIRGIN ISLANDS

On May 1, 1975, Subcommittee II<sup>3/</sup> of the Committee of 24 began its consideration of the U.S. Virgin Islands by hearing statements by a U.S. Representative, Jay K. Katzen, and by the Honorable Cyril E. King, Governor of the U.S. Virgin Islands.

The U.S. Representative reviewed developments concerning a proposed constitution that had been put to the voters of the Virgin Islands and approved by a narrow margin in 1972. He indicated that the results were considered inconclusive in the Virgin Islands because of low voter turnout and that the local political parties had decided not to request approval of the constitution by the U.S. Congress. He told the Committee

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<sup>3/</sup> Subcommittee I, consisting of Chile, China, Congo, Cuba, Mali, Sierra Leone, Syria, U.S.S.R., and Yugoslavia, considered (1) activities of foreign economic and other interests seen as impeding the implementation of the Colonialism Declaration, and (2) military activities and arrangements by colonial powers in territories under their administration which might impede the implementation of the Colonialism Declaration.

Subcommittee II, consisting of Afghanistan, Australia, Bulgaria, Chile, Cuba, Czechoslovakia, Denmark, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Syria, and Trinidad and Tobago, considered the implementation of the Colonialism Declaration in 16 small island territories.

Still other non-self-governing territories were considered by the Committee directly in plenary session.



that legislation would be submitted to the Congress calling for a new popularly elected constitutional convention. He also reported that the worsening economic situation and growing unemployment were of major concern to the local government. Action was being taken to attempt to broaden the economic base, to provide relief to small businessmen, and to bolster the tourist trade. Although the worldwide recession continued to have serious effects on the tourist trade, there were indications that the rate of decline had been checked.

Governor King in his remarks reviewed the political development of the U.S. Virgin Islands since 1917, stressing both increasing self-government and growing local participation. He informed the Subcommittee that in the early 1960's a constitutional convention recommended a variety of reforms, most of which were enacted into law within a short time. An Elective Governor Act was passed in 1969 and a Delegate to Congress Act was passed in 1970. Governor King stated that the convening of a new constitutional convention was likely soon and he predicted that it would reaffirm the principles expressed in the 1965 resolution on status, including, inter alia, the unalterable opposition of the people of the Virgin Islands to independence from the United States, and their "desire to have the Virgin Islands remain an unincorporated territory under the constitutional system of the United States with the fullest measure of internal self-government and in the closest association with the United States of America."

In closing remarks to the Subcommittee on June 2, the U.S. Representative cited several specific, recent steps taken with a view to improving the economic situation in the Virgin Islands. In response to Subcommittee interest in the situation of aliens in the territory, he pointed out that a distinction had to be made between illegal aliens and those who had entered under proper immigration procedures. While the U.S. authorities were doing everything feasible to prevent illegal immigration and deport those illegally in the U.S. Virgin Islands, those who had legally taken up residence were permanent residents and in most cases would become U.S. citizens.

Mr. Katzen also drew the Subcommittee's attention to an inaccurate statement that had been made in Subcommittee I during its consideration of military activities in colonial territories<sup>4/</sup> to the effect that the U.S. Navy maintained two Coast Guard stations and an underwater tracking range center in the islands. He explained that the Coast Guard was not a military activity and not a component of the Navy. The Coast

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<sup>4/</sup> The United States did not take part in Subcommittee I's discussions.

Guard maintained two lighthouses for navigational purposes, only one of which was manned. He stated that an underwater research activity was operated by a private contractor for the Navy.

On August 7, the Committee of 24 adopted the report of Subcommittee II on the U.S. Virgin Islands. The report, inter alia, (1) reaffirmed the right of the people of the Virgin Islands to self-determination and independence; (2) called for further cooperation by the United States with the Committee of 24 so that the latter could "fulfill its mandate and its responsibility towards the United States Virgin Islands in an equitable way"; (3) hoped the U.S. Congress would expedite approval of legislation establishing a constitutional convention; (4) called on the United States to find ways to reduce immigration into the Virgin Islands in order to reduce tensions between "resident and immigrant populations"; (5) hoped for the successful resolution of the economic and budgetary problems faced by the U.S. Virgin Islands; and (6) urged the United States to allow a UN visiting mission to observe at first hand the conditions in the U.S. Virgin Islands.

On the same day, the Committee adopted a report by its Subcommittee I entitled "Military activities and arrangements by colonial powers in territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." This report contained conclusions and recommendations related to alleged military activities in a number of different territories, including the U.S. Virgin Islands and Guam. Those relating specifically to the U.S. Virgin Islands (1) asserted that the United States was using military bases and other installations contrary to the interests of the people of the territory; and (2) asserted that U.S. military installations in the Caribbean were "a threat to the sovereignty, independence, and territorial integrity of states in the region."

#### AMERICAN SAMOA AND GUAM

Subcommittee II took up American Samoa on June 2 and Guam on June 26, 1975, thereafter considering the two territories together.

On June 2 Mr. Katzen informed the Subcommittee of significant developments that occurred during the preceding year. These included a special referendum on June 18, 1974, in which the voters of American Samoa for the third time rejected the establishment of an elected Governor, although the formerly wide gap was narrowed considerably to 52% against and 48% for. He said that the United States continued to support the



election of a governor and would move forward on the issue whenever the people of American Samoa desired it. The Subcommittee was also informed of the resignation at the end of 1974 of Governor John M. Haydon and his replacement on January 28, 1975, by Earl Baker Ruth, a former U.S. Congressman from North Carolina.

The U.S. Representative said that the economy of American Samoa had suffered two crippling blows during the year--a drought from June to September 1974 and the breakdown of the major power station. On September 30, 1974, President Ford had declared American Samoa a major disaster area, and aid and assistance were subsequently provided by the Federal Disaster Agency. Special budgetary assistance of \$10.8 million had been requested from the U.S. Congress by the local government for the purpose of undertaking needed infrastructure development, including a permanent electrical power system and a permanent water system. In a subsequent statement on July 9 a U.S. spokesman, Gayle Oechslein, reported that the \$10.8 million budget amendment was under review and that a special \$3 million grant had just been received from the Department of Housing and Urban Development for the long-range water improvement project.

Speaking for the United States on June 26, Bruce E. Kessler reported on political and economic development in Guam. He recalled that a Political Status Commission had been created by the Guam Legislature and that steps had been taken within the U.S. Executive Branch to open a discussion of Guam-Federal relationships, but that the discussions were postponed at the request of the Governor of Guam until after the November 5, 1974, election. In March 1975 the new Governor of Guam, Ricardo J. Bordallo, visited Washington and found support within the Executive Branch for the creation of a "Presidential Task Force" to study the Guam-Federal relationship. Additionally, there were indications that the Guam Legislature would create a new Political Status Commission.

Turning to the economy, he said that the worldwide recession was having a significant impact on Guam and that inflation had been particularly crippling. The adverse economic situation was compounded by a decrease in military spending and in foreign investment in the territory. Tourism to Guam continued to expand, but at a reduced rate from previous years. Efforts were being made to stimulate the Guam economy by emphasizing agricultural and business expansion in all sectors of industry. The Federal Government had been requested to provide \$56 million in loan and grant assistance for infrastructure development.

On August 7 the full Committee adopted the report of Subcommittee II on American Samoa and Guam. Inter alia, the report (1) reaffirmed the right of the people

of both territories to self-determination and independence; (2) expressed the hope that the United States would invite a UN visiting mission to the territories; (3) noted the need for a more thorough political education program in American Samoa; (4) urged the United States to review absentee voting procedures in order that qualified American Samoans living overseas might exercise their right to vote; (5) noted the economic improvements in American Samoa after the devastating blows suffered in 1974; (6) hoped for improved educational programs in American Samoa; (7) hoped that the Guam Political Status Commission would be reconvened to study all political status options; and (8) took note of a 1974 General Assembly resolution that had asserted that the establishment of military bases on Guam was incompatible with the UN Charter and called on the United States to overcome the dependence of the local economy on military bases and activities.

The Subcommittee I report on military activities (see above, p. 288) (1) asserted that because of Guam's military importance the United States was frustrating the efforts of the people of Guam to achieve independence, and (2) concluded that the strengthening of U.S. military installations "in Guam and other Pacific Territories is not only impeding the independence of those Territories, but is also threatening the sovereignty and territorial integrity of many independent states in the Pacific region and Asia."

#### GENERAL ASSEMBLY ACTION

The General Assembly's Fourth Committee considered American Samoa, Guam, and the U.S. Virgin Islands along with other small territories under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" (see p. 307). On November 21 it approved by a recorded vote of 103 to 1 (U.S.), with 16 abstentions, a draft resolution on all three that was sponsored by six African states.

The draft resolution, inter alia, (1) approved the chapters of the Committee of 24 report relating to these territories; (2) strongly deprecated the establishment of military bases on Guam "as being incompatible with the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514"; (3) called on the United States to diversify the economies of the territories; (4) called on the United States to permit access to the territories by UN visiting missions; and (5) requested the Committee of 24 to continue its efforts with regard to these territories.

The General Assembly adopted the resolution on December 8 by a recorded vote of 89 to 6 (U.S.), with



32 abstentions. In explaining the U.S. vote, Ambassador Moynihan charged that the portion of the resolution concerning military installations on Guam was a "deliberate distortion." He defended the right of the United States to maintain bases on its territories and stated that the resolution had no basis in the Charter or in previous General Assembly resolutions.

### NAMIBIA

The question of Namibia (or South-West Africa) has been on the agenda of every session of the General Assembly since 1946, when it arose at the second part of the first session. At its 21st session, in 1966, the Assembly terminated South Africa's mandate over the territory. At its fifth special session, in the spring of 1967, it established a UN Council<sup>5/</sup> to administer the territory until independence and created a UN Commissioner to whom the Council could entrust such executive and administrative tasks as it deemed necessary. The Assembly also established, in 1970, a UN Fund for Namibia to put into effect a comprehensive program of assistance to Namibians.

In addition, the Security Council has considered the situation in Namibia and has adopted resolutions on the territory every year since 1968.

### SECURITY COUNCIL

The Security Council met May 30-June 6, 1975, to discuss the question of Namibia. The meetings were held in compliance with an earlier resolution, adopted on December 17, 1974, which had specified that the Council meet on or before May 30, 1975, to review South Africa's compliance with the terms of the resolution, and in the event of noncompliance to consider appropriate measures to be taken under the Charter.

On June 3 Ambassador John Scali reiterated the U.S. opposition to the continuing illegal occupation of the territory of Namibia by South Africa and U.S. support for early independence for the territory. He stressed the continuing commitment of the United States to the following four-point policy on Namibia: (1) all the people of Namibia should within a short time be given the opportunity to express their views freely and under

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<sup>5/</sup> Members of the UN Council for Namibia in 1975 were Algeria, Australia, Bangladesh, Botswana, Burundi, Chile, China, Colombia, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nigeria, Pakistan, Poland, Romania, Senegal, Turkey, U.S.S.R., Yugoslavia, and Zambia.

UN supervision on the political future and constitutional structure of the territory; (2) all Namibian political groups should be allowed to campaign for their views and participate without hindrance in peaceful political activities in the course of the process of self-determination; (3) the territory should not be split up in accordance with the policy of apartheid; and (4) the future of Namibia should be determined by the freely expressed choice of its inhabitants. Ambassador Scali noted that there had been some forward movement in Namibia, though not enough, during the 6 months since the Council last met to discuss the question. He said the Council should consider South Africa's offer to resume a dialogue on Namibia with a mutually acceptable representative of the UN Secretary General and to enter into discussions with African leaders, the President of the UN Council for Namibia, and the Special Committee on Namibia of the OAU.

On June 6 Guyana, Iraq, Mauritania, Cameroon, and Tanzania submitted a draft resolution which would have had the Council, inter alia, (1) condemn South Africa's failure to comply with the resolution of December 17, 1974; (2) demand that South Africa proceed urgently to withdraw from Namibia; (3) reaffirm the legal responsibility of the United Nations over Namibia; (4) acting under Chapter VII of the UN Charter, (a) determine that the illegal occupation of Namibia constitutes a threat to international peace and security, and (b) decide that all states shall prevent: (i) any supply of arms and ammunition to South Africa; (ii) any supply of aircraft, vehicles, and military equipment for use of the armed forces and paramilitary organizations of South Africa; (iii) any supply of spare parts for arms, vehicles, and military equipment used by the armed forces and paramilitary organizations of South Africa; and (iv) any activities in their territories that promote or are calculated to promote the supply of arms, ammunition, military aircraft, and military vehicles to South Africa and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia; (5) decide that all states should apply these sanctions notwithstanding any contract entered into before the date of the resolution; and (6) decide that the resolution would remain in effect until the illegal occupation of Namibia by South Africa ended.

The United States, United Kingdom, and France all vetoed the draft resolution. Japan and Italy abstained, and the other 10 members of the Council voted in favor. The three permanent members had made clear from the beginning of the Council meeting that they would oppose any reference to Chapter VII, "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression."



In his debate statement Ambassador Scali stated that there was clearly not a "crisis, peace-and-war situation at this time" in Namibia and that it was difficult to find that a threat to international peace and security existed within the meaning of the Charter. It would not, therefore, be appropriate to invoke mandatory sanctions. With respect to an arms embargo, he noted that the United States had for 12 years voluntarily refused to allow arms shipments to South Africa. It did so out of conviction and not because it was required to do so by an international forum.

In a statement after the vote Ambassador Scali said that the United States had voted against the resolution with grave reluctance and concern. He pointed out that the United States had made its own careful estimate of conditions in Namibia and had acted accordingly within the UN Charter. He expressed U.S. disappointment that the efforts of several Council members to draft a resolution that all members could have supported had failed. He concluded by stating the hope that by its lack of effective action the Council had not lost momentum in the struggle for freedom and justice in southern Africa.

#### GENERAL ASSEMBLY

On September 19, 1975, the General Assembly allocated the item entitled "Question of Namibia" to its Fourth Committee. The Committee subsequently considered the item at 17 meetings between October 13 and November 13. As in previous years the Fourth Committee permitted the representative of the South West Africa People's Organization (SWAPO) to participate as an observer in the Committee's proceedings. The representative, Mishake Muyengo, addressed the Committee twice.

Speaking on October 22, Ambassador White reiterated U.S. support for the early exercise of self-determination by the people of Namibia. She condemned South Africa's continued illegal occupation of Namibia and the persistent refusal of South Africa to heed UN resolutions. She noted the deep concern of the United States over the repression of political activity in Namibia and called on the South African government "to move quickly to grant political freedom and basic human rights to the people of Namibia." Ambassador White also recalled that the United States had in 1975 contributed \$50,000, specially earmarked for Namibians, to the UN Educational and Training Program for Southern Africa, and stated the U.S. willingness to support the UN Institute for Namibia in Lusaka, Zambia. (In 1974 the 29th Assembly had endorsed the decision of the UN Council for Namibia to establish such an institute.)

On November 10 Iraq and Ethiopia introduced two draft resolutions. The first was a lengthy omnibus resolution, eventually sponsored by 59 states, that reiterated many of the points made in previous General Assembly resolutions. In one of its preambular paragraphs it recognized that the situation in Namibia constituted a threat to international peace and security. Among the provisions in its operative section, the resolution (1) reaffirmed the right of the people of Namibia to self-determination and independence; (2) reiterated that SWAPO was the authentic representative of the Namibian people; (3) reaffirmed "the legitimacy of the struggle of the Namibian people by all means against the illegal occupation of their country by South Africa"; (4) strongly condemned the military build-up in Namibia by South Africa; (5) decided that free elections should be held in Namibia as a matter of urgency under direct UN supervision and control; (6) urged the Security Council to take up again the question of Namibia; (7) urged all states that have not yet done so to break off economic relations with South Africa that concern Namibia and to take measures with a view to compelling South Africa to withdraw from Namibia; (8) requested once again that all member states take all appropriate measures "to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974";<sup>6/</sup> and (9) requested all specialized agencies and other organizations within the UN system to render all possible assistance to the people of Namibia through their liberation movement, SWAPO.

The Fourth Committee approved the resolution on November 13 by a recorded vote of 114 to 0, with 8 abstentions (U.S.). The United States abstained because it could not support several key paragraphs in the resolution, especially the preambular paragraph describing the situation in Namibia as constituting a threat to international peace and security. In her explanation of the U.S. vote, Ambassador White said that if this paragraph had been the subject of a separate vote the United States would have voted against it. She further pointed out that the United States did not regard any one Namibian organization as the

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<sup>6/</sup> The decree provides, inter alia, that no person or entity may search for or use any natural resource within Namibia without the permission of the Council for Namibia; any permission for such purposes granted by the Government of the Republic of South Africa is null and void; and any natural resource taken from Namibia, and any vehicle or container carrying such natural resource, without the permission of the Council, may be seized and forfeited to the benefit of the Council to hold in trust for the benefit of the people of Namibia.



sole authentic representative of the Namibian people and that the United States had reservations about the implications of the paragraphs concerned with the UN Council for Namibia. She also said that the United States reserved judgment on the paragraphs dealing with Decree No. 1 because of substantial doubts about the legal effectiveness of the Decree.

The General Assembly adopted the resolution on November 26 by a vote of 110 to 0, with 7 abstentions (U.S.).

The second draft resolution, eventually sponsored by 61 states, concerned the UN Fund for Namibia. The resolution, *inter alia*, (1) decided to allocate to the UN Fund for Namibia \$200,000 from the regular UN budget for 1976; (2) requested the Secretary General and the UN Council for Namibia to continue to appeal to governments, organizations, and private individuals for generous voluntary contributions to the Fund; (3) appealed for contributions to the UN Institute for Namibia; and (4) requested the specialized agencies and other UN organizations to render all necessary assistance to the Secretary General and the UN Council for Namibia in implementing the work program of the UN Fund for Namibia.

Without objection, the Fourth Committee approved the resolution on November 13 and the General Assembly adopted it on November 26.

### SOUTHERN RHODESIA

The Security Council did not discuss the question of Southern Rhodesia during 1975 for the second consecutive year. The Security Council's Sanctions Committee continued its work, however, and the question of Southern Rhodesia was again on the agenda of the General Assembly.

### GENERAL ASSEMBLY

The General Assembly's Fourth Committee considered the question of Southern Rhodesia at 15 meetings between September 30 and October 27. As in previous years, the representative of the African National Council of Zimbabwe (Southern Rhodesia), a national liberation movement of the territory, participated as an observer in the Committee proceedings.

During the debate, the U.S. Representative, Congressman Fraser, emphasized U.S. support for efforts by the leaders of southern African states to avert bloodshed and violence and solve the Rhodesian problem through negotiations. He stressed the need to adhere

scrupulously to UN economic sanctions in order to maintain pressure on the minority regime in Rhodesia to accede to majority rule. He reiterated the U.S. Administration's support for the repeal of the Byrd amendment under which the United States imports strategic minerals from Rhodesia in contravention of UN sanctions. Congressman Fraser stated that Congressional support for repeal of the Byrd amendment was growing and pointed out that the number of Congressmen voting for repeal had increased steadily since the bill was enacted in 1971. He concluded by stressing the continuing commitment of the U.S. Government to self-determination and majority rule in Rhodesia.

On October 20, Senegal and Oman introduced two draft resolutions, each of which was sponsored by over 55 states. The first, an omnibus resolution similar to resolutions of previous years, inter alia, (1) reaffirmed the right of the people of Zimbabwe to self-determination, freedom, and independence, and the legitimacy of their struggle; (2) reaffirmed the principle that there should be no independence before majority rule in Zimbabwe; (3) called upon the Government of the United Kingdom, as administering power in Rhodesia, to take all effective measures to enable the territory to accede to independence in accordance with the aspirations of the majority of the population and not under any circumstances to accord to the illegal regime any of the powers or attributes of sovereignty; and (4) demanded (a) the termination of executions of freedom fighters by the Ian Smith regime, (b) the unconditional and immediate release of political prisoners, (c) the discontinuance of repressive measures in Rhodesia, and (d) the cessation of the influx of foreign immigrants into the territory and the immediate withdrawal of all mercenaries.

On October 27 the Fourth Committee approved the resolution without a vote. The U.S. Representative joined the U.K. Representative in expressing the desire that the Rhodesian problem be solved by peaceful negotiation and not through violence. The General Assembly in plenary session adopted the resolution without objection on November 21.

The second draft resolution concerned the enforcement of sanctions. The resolution, inter alia, (1) condemned all violations of mandatory sanctions imposed by the Security Council; (2) condemned the continued importation of chrome and nickel from Southern Rhodesia into the United States and called on the U.S. Government to repeal speedily all legislation permitting such importation; and (3) called upon all governments that have not already done so (a) to take stringent measures to ensure strict compliance with sanctions, (b) to take effective steps to prevent or discourage emigration to Southern Rhodesia, (c) to discontinue



any action which might confer a semblance of legitimacy on the illegal regime, inter alia, by forbidding the operation and activities of Air Rhodesia, the Rhodesian National Tourist Board, and the Rhodesian Information Office, and (d) to invalidate passports and other documents for travel to the territory.

On October 27 the resolution was approved in committee by a recorded vote of 110 to 0, with 6 abstentions (U.S.). In an explanation of vote, the U.S. Representative, Mr. Katzen, stated that the United States objected to being singled out for criticism in the resolution when U.S. imports under the authority of the Byrd amendment constituted only 5% of Rhodesian exports during 1974. Further, he pointed out that under domestic law the United States cannot accede to the call in the resolution to forbid operation of the Rhodesian Information Office or to proscribe travel to Rhodesia. The General Assembly subsequently adopted the resolution on November 21 by a recorded vote of 103 to 0, with 6 abstentions (U.S.).

#### SANCTIONS COMMITTEE

The Sanctions Committee, which has the same composition as the Security Council, was established by the Council on May 29, 1968, by the same resolution that imposed comprehensive mandatory economic sanctions against Southern Rhodesia. During 1975 the Committee met 37 times, generally in closed session, and continued its investigation of reports of violations of sanctions. The Committee continued its consideration of 81 old cases, began work on 42 new cases, and closed 8 cases.

The Committee made two reports to the Security Council. The eighth regular report described the annual work of the Committee and the individual cases considered by it. A separate Special Report, concerning the expansion of sanctions against Rhodesia, recommended that the Council meet to include the areas of insurance, trade names, and franchises within the scope of mandatory sanctions.

At year's end the Security Council was expected to meet in the near future to take up the Committee's recommendations.

#### TIMOR

The General Assembly has considered the question of territories under Portuguese administration every year since 1960 when it first decided that they were

non-self-governing territories within the meaning of Chapter XI of the UN Charter. In addition, the Security Council has often debated the subject. In the past, the concern was almost entirely with the territories in Africa. However, following the military coup in Portugal in April 1974, the new Portuguese Government embarked on a program of rapid decolonization. As a result, UN attention in 1975 focused almost entirely on Portuguese Timor.

The island of Timor is located at the tip of the chain of islands forming the Republic of Indonesia. The western part of the island is part of Indonesia; the eastern part, two smaller islands, and an enclave on the northwest coast constituted Portuguese Timor.

#### GENERAL ASSEMBLY

The Fourth Committee of the 30th General Assembly considered the agenda item on the Portuguese territories at eight meetings between December 2 and 11. The Committee's debate took place against the background of the civil war being fought on the island of Timor among several political parties that aspired to leadership following the imminent termination of Portuguese administration in the island. On November 28, just prior to Committee consideration, FRETILIN,<sup>7/</sup> one of the political parties, unilaterally declared independence, proclaiming the establishment of the "Democratic Republic of East Timor." This move was staunchly opposed by four other Timorese political parties--APODETI,<sup>8/</sup> KOTA,<sup>9/</sup> UDT,<sup>10/</sup> and Trabalhista, which favored the inclusion of the territory within Indonesia.

On December 3 Malaysia introduced a draft resolution, eventually sponsored by nine Asian and Pacific states (including Indonesia), which would have, inter alia, (1) reaffirmed the inalienable right of the people of Portuguese Timor to self-determination; (2) appealed to the political parties in Timor to respond positively to the efforts of the administering power to find a peaceful solution through talks between them and the Government of Portugal; and (3) expressed the hope that the talks would bring to an end the political strife in the territory and lead toward the orderly exercise of the right of self-determination by the people of Timor.

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<sup>7/</sup> Frente Revolucionária Timor Leste Independente.

<sup>8/</sup> Associação Popular Democrática Timorense.

<sup>9/</sup> Klibur Oan Timor Aswain.

<sup>10/</sup> União Democrática de Timor.



On December 7 armed troops from Indonesia arrived in Timor to help the pro-Indonesian parties in their fight against FRETILIN, and on December 8 the cosponsors submitted a revised draft resolution which took note of "the recent developments in Portuguese Timor," called on all states to respect the right of the people to self-determination, and reiterated most of the key points of the previous draft.

Another draft resolution, sponsored by Algeria and five other African and Latin American states, was submitted on December 9, and the nine-power draft was withdrawn. The six-power draft reiterated many of the points of the earlier draft resolution, but it also (1) strongly deplored the military intervention of the armed forces of Indonesia in Portuguese Timor; (2) called upon the Government of Indonesia to desist from further violation of the territorial integrity of Portuguese Timor and to withdraw its armed forces from the territory without delay in order to enable the people of the territory freely to exercise their right to self-determination and independence; and (3) drew the attention of the Security Council to the critical situation in the territory of Timor and recommended that it take urgent action to protect the territorial integrity of Portuguese Timor and the inalienable right of the people to self-determination.

India, on December 10, introduced another draft resolution, sponsored by seven Asian and Pacific states, which was intended as a compromise text, but which was not pressed to a vote. Thailand, Mauritania, Saudi Arabia, and the Philippines unsuccessfully sought to amend the Algerian draft. On December 11 the Committee approved the Algerian draft by a rollcall vote of 69 (Portugal) to 11 (Indonesia), with 38 abstentions (U.S.).

In a statement after the vote, Ambassador White explained that the United States had abstained because it objected to the wording of the paragraphs deploring the Indonesian military intervention and calling on Indonesia to desist from further violations of Portuguese Timor's territorial integrity and to withdraw its armed forces without delay. Ambassador White stated that the United States hoped that efforts to produce a more balanced text would be successful before the question was considered in the plenary.

The same resolution, however, was adopted in the plenary on December 12 by a recorded vote of 72 (Portugal) to 10 (Indonesia), with 43 abstentions (U.S.).

#### SECURITY COUNCIL

In response to the General Assembly's resolution, the Security Council began meetings on December 15 to

consider the situation in Timor. The representatives of Portugal, Indonesia, and the Timorese political parties addressed the Council during its debate.

On December 22, the U.K. Representative, acting as President of the Council, introduced a draft resolution that had been prepared in the course of prior consultations among Council members. The resolution, inter alia, in preambular paragraphs (1) expressed grave concern at the loss of life, (2) deplored the intervention of Indonesia's armed forces, and (3) regretted that the Government of Portugal had not discharged fully its responsibilities as administering power in the territory under Chapter XI of the Charter; and in operative paragraphs (4) called upon all states to respect the territorial integrity of East Timor and the right of its people to self-determination, (5) called upon Indonesia to withdraw without delay all its forces from the territory, (6) called upon Portugal to cooperate fully with the United Nations to enable the people of the territory to exercise freely their right to self-determination, (7) requested the Secretary General to send urgently a special representative to East Timor for the purpose of making an on-the-spot assessment of the existing situation and of establishing contact with all the parties in the territory and all states concerned in order to ensure the implementation of the present resolution, and (8) further requested the Secretary General to follow the implementation of the present resolution and, taking into account the report of his special representative, to submit recommendations to the Security Council as soon as possible.

The resolution was adopted the same day by a unanimous vote.

On December 29 the Secretary General announced the appointment of Vittorio Winspeare Guicciardi, Under Secretary General and Director General of the UN Office at Geneva, as his Special Representative to East Timor.

### SPANISH SAHARA

In 1974 Spain had announced its intention of holding during the first 6 months of 1975, under UN auspices, a referendum in Spanish Sahara (or Western Sahara) so that the inhabitants of that territory might exercise their right of self-determination. During the Fourth Committee's consideration of the territory, however, a legal controversy arose over the status of the territory at the time of its colonization by Spain. The Assembly, therefore, on December 13, 1974, adopted a resolution (1) requesting the International Court of Justice to give an advisory opinion on the status of



the territory at the time it was colonized by Spain, (2) urging Spain to postpone its contemplated referendum until the General Assembly decided on the policy to be followed in order to accelerate the decolonization process, and (3) requesting the Committee of 24 to keep the situation in the Sahara under review, sending a visiting mission to the territory for that purpose, and to report thereon to the 30th Assembly.

During 1975 the question of Spanish Sahara was considered by several UN bodies--the International Court, the Committee of 24, the General Assembly, and the Security Council.

#### COMMITTEE OF 24 VISITING MISSION

The Visiting Mission was headed by the Ivory Coast Permanent Representative to the United Nations, Siméon Aké, and included representatives from Cuba and Iran. It decided that its duty was to assist the Committee of 24 in the discharge of its tasks by securing first-hand information on the situation prevailing in the territory, including information on political, economic, social, cultural, and educational conditions, as well as on the wishes and aspirations of the people.

The Mission visited Spain, Algeria, Morocco, Mauritania, and the Spanish Sahara between May 8 and June 8, 1975. In its report to the Committee of 24 in October, the Mission emphasized the desire of the political representatives within the territory for independence to be achieved through self-determination, although political refugees interviewed in neighboring countries often favored integration with the host country. The Mission stated that a lasting solution must be worked out with the agreement and participation of the administering power, the governments of the countries adjoining the territory, and the representatives of the Saharan population, including those who were living outside of the territory as political exiles or refugees. The Mission reported that the following conditions for holding any "popular consultation" in the territory had been set by the governments of the countries adjoining the territory, the political movements of Spanish Sahara, and the spokesmen for the Saharan political exiles and refugees: (1) withdrawal of Spanish forces and administration, (2) return of political exiles and refugees, and (3) a period of transition during which a UN presence would assume responsibility for the administration of the territory. The Visiting Mission concluded its report with the hope that the General Assembly would take steps to enable the population of the territory to decide its own future in accordance with the provisions of relevant General Assembly resolutions. On November 7 the Committee of 24

adopted the report of the Visiting Mission and endorsed its observations and conclusions.

The prospects for a peacefully negotiated Spanish withdrawal from the Sahara did not improve during 1975. On the contrary, nationalist sentiment in the territory was stimulated and the conflict among Morocco, Mauritania, and Algeria gradually sharpened. On May 23, 1975, Spain informed the Secretary General that it did not want its withdrawal from the territory to leave a vacuum, and it wished to transfer power to those who were to assume responsibility for the administration of the territory as a result of decolonization. However, it had publicly declared its decision to end its presence in the territory and, assuming the concerned parties could not harmonize their positions, the Spanish authorities would be obliged to set a deadline for the transfer of their powers.

#### OPINION OF THE INTERNATIONAL COURT OF JUSTICE

On October 16 the International Court of Justice delivered its opinion on the status of the territory at the time of colonization. It concluded that there were legal ties between the territory and Morocco and Mauritania, but that the ties were not of such a nature as might affect the right of the people to exercise their right of self-determination. (For a fuller statement of the Court's opinion see Part IV, p. 319.)

Neither the International Court nor the Visiting Mission called for a referendum in the territory.

#### SECURITY COUNCIL

King Hassan of Morocco hailed the Court's opinion that there were legal ties between Morocco and the territory and immediately announced a peaceful march of 350,000 civilians into the Sahara to attest to Moroccan territorial integrity.

In response to the King's announcement, Spain on October 18 requested an emergency meeting of the Security Council to consider the situation. The Council met five times between October 20 and November 6. Spain suggested that the Council dispatch a special mission to determine what the Government of Morocco intended to do with regard to its recent announcement that it would march on the Sahara, and it expressed the hope that the Council would direct an urgent appeal to the King of Morocco to refrain from carrying out the march.

After considerable negotiation, the Council on October 22 adopted by consensus a resolution that



(1) requested the Secretary General to enter into immediate consultations with the parties concerned and interested (i.e., Spain, Morocco, Mauritania, and Algeria) and to report to the Security Council on the results of his consultations, and (2) appealed to all parties to exercise restraint and moderation.

When consultations failed to induce Morocco to call off the march, the Council met again on November 2, adopting another resolution by consensus. The second resolution urged all the parties concerned and interested to avoid any unilateral or other action that might further escalate the tension in the area, and requested the Secretary General to continue and intensify his consultations and to report to the Council as soon as possible in order to enable the Council to adopt any further measures that might be necessary.

Speaking for the United States on November 2, Ambassador Bennett said:

" . . . My government supports fully the terms of the resolution that we have just adopted by consensus and we encourage the Secretary General to continue his vigorous efforts with the concerned and interested parties. We hope a solution can be found that recognizes the views of the parties in accordance with all of the General Assembly and Security Council resolutions that have a bearing on the means by which a dependent area achieves the goal of self-determination.

"We also call on all of the parties involved to avoid any action that could turn this important area of the world into a scene of confrontation and possible human tragedy. The ties that link the peoples of the region should make all equally aware of the necessity of finding a peaceful and mutually acceptable solution."

On November 6, the "Green March"<sup>11/</sup> started with 350,000 Moroccan civilians moving into the Sahara, then halting and camping before a line composed of Spanish forces inside the Sahara consolidated 12 kilometers from the Moroccan border.

Consultations continued and on November 9 King Hassan asked the participants in the "Green March" to return to Morocco. On November 12 negotiations opened

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<sup>11/</sup> The color green is the color of the Prophet Mohammad. With its religious connotation in the Islamic faith, it emphasized the basis in Islamic law of the Moroccan legal claim to the Sahara and also suggested to the Moroccan marchers and other Islamic observers elements of a religious crusade against the Spanish administration.

in Madrid among Spain, Morocco, and Mauritania, and on November 14 the three parties announced their agreement on a set of principles to govern the future of the Sahara. The main principle was that Spain undertook to withdraw from the Sahara by February 28, 1976, and in the interim Morocco and Mauritania would participate with Spain in a tripartite administration. Algeria informed the Secretary General that it considered that the tripartite declaration was contrary to the relevant Security Council resolutions and therefore null and void.

#### GENERAL ASSEMBLY

Soon after the Madrid agreement, the Fourth Committee of the 30th General Assembly began its consideration of Spanish Sahara. The Committee's consideration lasted from December 1 to 4 and resulted in the adoption of two competing resolutions.

On December 2 Tanzania and the Malagasy Republic introduced a draft resolution which was eventually sponsored by 27 states. In its operative paragraphs the resolution, inter alia, (1) reaffirmed the inalienable right of the people of Spanish Sahara to self-determination; (2) reaffirmed the responsibility of the administering power and of the United Nations with regard to the decolonization of the territory; (3) requested the Spanish Government, as the administering power, to take immediately all necessary measures, in consultation with all the parties concerned and interested, so that all Saharans originating in the territory might exercise fully and freely, under UN supervision, their inalienable right to self-determination; (4) requested the Secretary General to make the necessary arrangements for the supervision of the act of self-determination referred to above; and (5) urged all the parties concerned and interested to exercise restraint and to desist from unilateral or other action outside the decisions of the General Assembly on the territory. It made no mention of the Madrid agreement.

The resolution was approved by the Committee on December 4 by a rollcall vote of 84 (Algeria) to 3, with 42 abstentions (Spain, U.S.), and adopted by the plenary Assembly on December 10 by a rollcall vote of 88 (Algeria) to 0, with 41 abstentions (Spain, U.S.). Morocco and Mauritania did not participate in either vote.

The second draft resolution, introduced by Senegal on December 3, was sponsored by eight states. In its operative paragraphs the resolution (1) took note of the tripartite agreement concluded at Madrid on November 14 by the Governments of Mauritania, Morocco, and Spain; (2) reaffirmed the inalienable right to self-determination of all the Saharan populations originating



in the territory; (3) requested the parties to the Madrid agreement to ensure respect for the freely expressed aspirations of the Saharan populations; and (4) requested the interim administration to take all necessary steps to ensure that all the Saharan populations originating in the territory would be able to exercise their inalienable right to self-determination through free consultations organized with the assistance of a representative of the United Nations appointed by the Secretary General.

On December 4, at the request of Benin--a cosponsor of the 27-power draft resolution--the Committee took separate votes on operative paragraph 2 and on operative paragraphs 1, 3, and 4. Paragraph 2 was adopted without objection. Paragraphs 1, 3, and 4 were adopted by a rollcall vote of 46 (Mauritania, Morocco, Spain, U.S.) to 37 (Algeria), with 49 abstentions. The resolution as a whole was then approved by a rollcall vote of 48 (Mauritania, Morocco, Spain, U.S.) to 32 (Algeria), with 52 abstentions, and adopted by the plenary Assembly on December 10 by a rollcall vote of 56 (Mauritania, Morocco, Spain, U.S.) to 42 (Algeria), with 34 abstentions.

The United States abstained on the 27-power resolution and voted for the eight-power resolution because it supported the terms of the Madrid agreement, which it believed then offered the best chance for a peaceful negotiated settlement.

### BELIZE

The Fourth Committee discussed the question of Belize (British Honduras) along with a number of other small territories during its consideration of the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" (see p. 307). Committee action focused on the contending positions of Guatemala, which has territorial claims on Belize, and the United Kingdom, which is the administering power in Belize.

On November 7 Guatemala and 12 other Latin American states submitted a draft resolution, which in its final form took note in a preambular paragraph of the existence of a dispute between the governments of Guatemala and the United Kingdom concerning sovereignty over Belize, and in its operative portion (1) invited the two governments to continue their negotiations without delay to find a peaceful solution to the problem, duly taking into account the provisions and objectives of the UN Charter, the 1960 Declaration on Colonialism, and the interests of the people of Belize; and (2)

requested the two governments to inform the Committee of 24 and the Assembly at its next session of progress achieved in the negotiations.

A second draft resolution, sponsored by the United Kingdom and 61 other states, was submitted the same day. This resolution, inter alia, (1) reaffirmed the inalienable right of the people of Belize to self-determination and independence; (2) declared that the inviolability and territorial integrity of Belize must be preserved; (3) called upon the United Kingdom as administering power, acting in close consultation with the Government of Belize, and upon Guatemala to pursue urgently their negotiations for the earliest possible resolution of their differences concerning the future of Belize; and (4) declared that any proposals for the resolution of these differences that may emerge from the negotiations must be in accordance with the first two paragraphs of the draft resolution (listed above).

A third draft resolution was submitted on November 10 by Mauritius and cosponsored by Benin. It expressed deep concern at the recent military movements of the Guatemalan armed forces in the area near the Belizean border and called upon the Government of Guatemala to desist from all actions that might threaten the territorial integrity and national unity of Belize.

Yet a fourth draft resolution was introduced by Mexico on November 11. Intended as a compromise text, the Mexican draft in preambular paragraphs noted the existence of a controversy between Guatemala and the United Kingdom concerning the future of Belize and reaffirmed that any solution to the controversy must be found exclusively by peaceful means. In its principal operative paragraph it invited Guatemala and the United Kingdom to resume without delay their negotiations with a view to finding a peaceful solution to the problem.

On November 21 Guatemala submitted a motion under rule 121 of the General Assembly's rules of procedure calling for a decision on the competence of the Fourth Committee to adopt the proposals contained in the U.K.-cosponsored draft. The motion was rejected by a recorded vote of 11 in favor to 108 opposed, with 8 abstentions (U.S.). The Committee then rejected the Guatemalan-cosponsored draft resolution by a rollcall vote of 22 to 62, with 41 abstentions (U.S.). The U.K.-cosponsored draft was approved by a recorded vote of 103 to 12, with 13 abstentions (U.S.). This resolution was subsequently adopted by the General Assembly on December 8 by a rollcall vote of 110 to 9, with 16 abstentions (U.S.). Both Mauritius and Mexico withdrew their draft resolutions.



The United States abstained on all votes on the Belize issue because of its concern for the views of both Guatemala and the United Kingdom, two of its traditionally close friends, as well as for the interests of the people of Belize. The United States has supported a negotiated solution to the problem of Belize and has sought to encourage both parties to find such a solution through peaceful means.

## OTHER QUESTIONS

### OTHER TERRITORIES

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" the Fourth Committee, at 23 meetings between November 7 and December 5, considered together the chapters of the Committee of 24's report relating to specific territories not covered by other agenda items (i.e., Namibia, Southern Rhodesia, Portuguese territories). In addition to the resolutions on U.S. territories, Spanish Sahara, and Belize (described in previous sections of this report), the Committee approved nine resolutions on (1) Brunei; (2) Montserrat; (3) Gilbert Islands; (4) Bermuda, British Virgin Islands, Cayman Islands, and Turks and Caicos Islands; (5) Tokelau Islands; (6) Seychelles; (7) Solomon Islands; (8) New Hebrides, Pitcairn, and Tuvalu;<sup>12/</sup> and (9) the French Territory of the Afars and Issas.<sup>13/</sup> The Assembly also adopted consensus statements on the Cocos (Keeling) Islands, St. Helena, and Gibraltar, and decided to postpone until the 31st Assembly consideration of the Falkland Islands (Islas Malvinas) and of Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia, and St. Vincent.

A draft resolution on Brunei, which is situated on the northern coast of the island of Borneo and comprises two enclaves in eastern Malaysia, was introduced on November 13 by Malaysia and eventually sponsored by 20 states. It reaffirmed the right of the people of Brunei to self-determination and called upon the United Kingdom as administering power to take all steps within its competence to facilitate expeditiously

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<sup>12/</sup> As a result of the referendum held in the Gilbert and Ellice Islands in August and September 1974, which had been observed by a UN visiting mission to the territory, the Ellice Islands separated from the Territory of the Gilbert and Ellice Islands on Oct. 1, 1975, and became known as Tuvalu.

<sup>13/</sup> French Somaliland, or Djibouti.

the holding of free and democratic elections by the appropriate government authorities in Brunei, in consultation with and under the supervision of, the United Nations. The resolution was approved in committee on November 18 by a recorded vote of 88 to 0, with 14 abstentions (U.S.), and adopted in plenary on December 8 by a recorded vote of 119 to 0, with 12 abstentions (U.S.); the United Kingdom did not participate in either vote. The United States abstained because it agreed with the United Kingdom that Brunei was not a U.K. colony and had freely and voluntarily chosen for over 100 years to maintain a treaty relationship with the United Kingdom. Since the internal affairs of Brunei were the sole responsibility of the Government of Brunei, the United Kingdom could not be expected to carry out the action requested in the resolution.

On November 18, India and Tunisia introduced a draft resolution, eventually sponsored by 28 states, on Montserrat, one of the Leeward Islands in the eastern Caribbean. The resolution endorsed the view of the UN visiting mission, which had been sent to Montserrat in May 1975 at the invitation of the United Kingdom as administering power, that measures to promote the economic development of Montserrat, within a framework of regional cooperation, were, inter alia, an important element in the process of self-determination. It also expressed the hope that the administering power would continue to intensify and expand its program of budgetary and development aid. The resolution was adopted without objection in the Committee on November 19 and in the plenary Assembly on December 8.

A draft resolution on the Gilbert Islands, which are in the western Pacific Ocean just south of the Marshall Islands of the Trust Territory of the Pacific Islands, was introduced on November 18 by Sierra Leone and eventually sponsored by 17 states. The resolution reaffirmed the right of the people of the Gilbert Islands to self-determination and independence and requested the administering power, the United Kingdom, to continue taking measures to expedite the process of decolonization and enlisting the assistance of organizations in the UN system in the development and strengthening of the territory's economy. The resolution was adopted without objection in the Committee on November 19 and in the plenary Assembly on December 8.

Twenty-four African, Asian, and Latin American states sponsored a draft resolution on the U.K. territories of Bermuda (in the Atlantic Ocean) and the British Virgin Islands, the Cayman Islands, and the Turks and Caicos Islands (all in the West Indies). The resolution, inter alia, called upon the administering power to take all possible steps to diversify the economies of these territories, to work out concrete programs of assistance and economic development for



them, and to safeguard the rights of the people of the territories to the enjoyment of their natural resources. The resolution was adopted without objection by the Committee on November 20 and by the General Assembly on December 8.

Twenty-eight African, Asian, Latin American, and Western European states sponsored a draft resolution on the Tokelau Islands, which are in the South Pacific Ocean. The resolution welcomed the invitation from New Zealand, as administering power, to the Committee of 24 to dispatch a visiting mission to the Tokelau Islands in 1976 in order to obtain first-hand information on the conditions in the territory and on the wishes and aspirations of the people. The resolution was adopted without objection by the Committee on November 20 and by the General Assembly on December 8.

On November 20, Tanzania introduced a draft resolution, eventually sponsored by 31 states, on the Seychelles, an archipelago in the western Indian Ocean northeast of Madagascar. The resolution (1) requested the United Kingdom to continue taking all necessary steps to assist the people of the Seychelles in their efforts to achieve self-determination and independence not later than June 1976, and (2) stressed the UN responsibility to render all possible assistance to the people of the territory in their efforts to consolidate their national independence and, to that end, invited the specialized agencies and other UN organizations to work out concrete programs of assistance to the Seychelles. The resolution was adopted without objection by the Committee on November 21 and by the General Assembly on December 8.

A draft resolution on the Solomon Islands, which are in the South Pacific Ocean east of New Guinea, was introduced on November 20 by Benin and eventually sponsored by 24 states. The draft noted with satisfaction the May 1975 agreement in London between the Governments of the United Kingdom and the Solomon Islands that the territory should achieve internal self-government not later than December 31, 1975, and that independence should follow from 12 to 18 months thereafter. It requested the United Kingdom to continue to assist the people of the Solomon Islands toward the achievement of independence as had been agreed between the two governments. The resolution was adopted without objection by the Committee on November 21 and by the plenary Assembly on December 8.

On November 24, Fiji and Papua New Guinea introduced a draft resolution, eventually sponsored by 14 states, on the New Hebrides, Pitcairn, and Tuvalu. The New Hebrides, in the South Pacific Ocean west of Fiji, are a condominium administered jointly by France and the United Kingdom. Pitcairn, in the South Pacific

midway between South America and Australia, and Tuvalu, in the South Pacific north of Fiji, are both British territories. The resolution, inter alia, (1) reaffirmed the right of the territories to independence and the Assembly's conviction that questions of territorial size, geographical isolation, and limited resources should in no way delay independence; (2) requested the administering powers to take all appropriate steps to strengthen the economies of the territories and work out concrete programs of assistance and economic development for them; (3) welcomed the positive attitude of the U.K. Government with respect to receiving UN visiting missions in the territories under its administration and called upon the French Government to reconsider its attitude toward receiving such missions; and (4) reiterated the Assembly's deep concern at the continued testing of nuclear weapons in the South Pacific despite the strong opposition expressed by the peoples of the area. The resolution was approved by the Committee on November 28 by a rollcall vote of 111 to 1 (France), with 10 abstentions (U.K., U.S.), and adopted by the General Assembly on December 8 by a recorded vote of 121 to 1 (France), with 11 abstentions (U.K., U.S.). The United States abstained because the resolution failed to take into account the positive steps the British and French governments had taken in 1975 to establish democratic political institutions in the New Hebrides and to strengthen the islands' economy.

On December 2, Guinea and Sierra Leone introduced a draft resolution, sponsored by 10 African states, on the French Territory of the Afars and Issas. After several amendments were offered and subsequently withdrawn by Somalia and Ethiopia, both of which have claims to the territory, a revised draft, with 14 African sponsors, was introduced on December 4. The draft resolution (1) called upon France as administering power to create the necessary conditions in order to accelerate the process of independence by effecting in particular the release of political prisoners and the return to the territory of the representatives of liberation movements recognized by the OAU and of all political refugees; (2) called upon France to grant immediate and unconditional independence to the people of the territory and to withdraw its military forces from the territory; (3) called upon all states to refrain from any action which might alter the independence and the territorial integrity of the territory; and (4) called upon all states to renounce forthwith any and all claims to the territory and to declare null and void any and all acts asserting such claims. The resolution was approved by the Committee on December 5 by a rollcall vote of 94 (Somalia) to 1 (Ethiopia), with 27 abstentions (U.S.), and adopted by the Assembly in plenary session on December 11 by a recorded vote of 109 (Ethiopia, Somalia) to 0, with 20



abstentions (U.S.). France did not participate in either vote. The United States abstained because in its view the resolution did not help to find a solution to the difficult and divisive problem posed to the countries concerned in deciding the future of the Territory of the Afars and Issas.

On November 20 the Committee approved without objection a draft consensus on the Cocos (Keeling) Islands, which are in the Indian Ocean southwest of Sumatra. The consensus reaffirmed the responsibility of Australia, the administering power, to create such conditions as will enable the people of the territory to determine fully their future political status, and it noted with interest the administrative and legislative steps taken and the further measures envisaged for the territory by Australia in light of the conclusions and recommendations of the 1974 visiting mission to the territory. The consensus was adopted without objection by the General Assembly on December 8.

On November 24 the Committee approved without objection a draft consensus on St. Helena, a British territory in the South Atlantic. This consensus recalled the particular problems of St. Helena arising from its isolated position, small population, and limited resources, and reiterated the importance of the administering power continuing to strengthen the economy of the territory. The consensus was approved by the General Assembly without objection on December 8.

Finally, on December 5, the Committee approved without objection a draft consensus on Gibraltar that urged the Governments of Spain and the United Kingdom to pursue their discussions on Gibraltar with a view to reaching a lasting solution to the problem. The consensus was approved by the General Assembly on December 8.

## GENERAL RESOLUTIONS

As in previous years, the General Assembly also adopted, under several different agenda items, a number of general resolutions on different aspects of colonialism and racial discrimination. Two of the resolutions were adopted on the recommendation of the Third Committee (see Part II, p. 205), five on the recommendation of the Fourth Committee, and three were adopted by the plenary without prior reference to a main committee.

### Fourth Committee Resolutions

The Fourth Committee considered the agenda item entitled "Activities of foreign economic and other

interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia and Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid, and racial discrimination in southern Africa" at eight meetings between October 28 and November 19. On November 17, Yugoslavia and Sudan introduced a draft resolution which was eventually sponsored by 45 states. The resolution, which was similar to those of previous years, among other things (1) condemned the policies of colonial powers and other states that continued to support or collaborate with those foreign economic and other interests engaged in exploiting the natural and human resources of the territories; (2) called upon the colonial powers and the governments that have not yet done so to take legislative, administrative, and other measures to put an end to such enterprises; and (3) requested all states to take effective measures to end the supply of funds and other forms of assistance, including military supplies and equipment, to those regimes that use such assistance to repress the peoples of colonial territories and their national liberation movements.

On November 19 the Committee approved the resolution by a recorded vote of 99 to 0, with 11 abstentions (U.S.), and on November 21 the General Assembly in plenary session adopted it by a recorded vote of 102 to 0, with 10 abstentions (U.S.). The United States abstained because it disagrees with the premise that foreign economic interests are an impediment to self-determination.

Under the agenda item, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations," the Fourth Committee approved a draft introduced by Bulgaria and the Ukrainian S.S.R. and sponsored by 36 states. In its operative paragraphs the resolution, inter alia, (1) reaffirmed that the recognition by the General Assembly, the Security Council, and other UN organs of the legitimacy of the struggle of colonial peoples to achieve freedom and independence entailed the extension by the UN system of organizations of all the necessary moral and material assistance to the peoples of the colonial territories and their national liberation movements; (2) urged the specialized agencies to extend such assistance to newly independent and emerging states; and (3) urged the specialized agencies to take all necessary measures to withhold any financial, economic, technical, and other assistance from the Government of South Africa and the illegal regime in Southern Rhodesia.



The resolution was approved on November 24 by a recorded vote of 91 to 0, with 2 abstentions (U.S.). The U.S. Representative, Mr. Katzen, explained that the United States had abstained because it was opposed to the growing politicization of the specialized agencies, a trend that threatened to undermine their important work in technical and humanitarian fields. In particular, the United States had reservations about the wording of the resolution that called upon the specialized agencies to grant all moral and material assistance to liberation movements. While the United States gave its unqualified support to peaceful evolution in the colonial territories and to the granting of humanitarian assistance to those territories, it believed that extension of material assistance to liberation movements went beyond the scope and functions of the specialized agencies.

The General Assembly in plenary session adopted the resolution on December 8 by a recorded vote of 124 to 0, with 4 abstentions (U.S.).

The United States supported two resolutions concerning educational and training programs for indigenous inhabitants of non-self-governing territories. The first, sponsored by 31 states, appealed to all states, organizations, and individuals to make generous contributions to the UN Educational and Training Program for Southern Africa. The resolution was adopted without objection by the Fourth Committee on November 19 and by the plenary Assembly on December 8. The second resolution, sponsored by 19 states, invited all states to make generous offers of study and training facilities to the inhabitants of non-self-governing territories, particularly those in southern Africa. It was adopted without objection by the Fourth Committee on November 20 and by the plenary Assembly on December 8.

Under an agenda item on "Information from non-self-governing territories transmitted under Article 73(e) of the Charter of the United Nations," the Fourth Committee on November 21, by a recorded vote of 108 to 0, with 3 abstentions (U.S.), approved a resolution sponsored by 19 states. The resolution, inter alia, (1) reaffirmed that in the absence of a decision by the General Assembly itself that a non-self-governing territory had attained a full measure of self-government in terms of Chapter XI of the Charter, the administering power concerned should continue to transmit information under Article 73(e); and (2) requested the administering powers concerned to transmit to the Secretary General the information prescribed in Article 73(e), as well as the fullest possible information on political and constitutional developments in the territories concerned within 6 months following the expiration of the administrative year in those territories. The plenary

Assembly adopted the resolution on December 8 by a recorded vote of 124 to 0, with 3 abstentions (France, U.K., U.S.).

The United States abstained, as it had on a similar resolution the previous year, because it disagreed with the affirmation that the General Assembly was the definitive judge of whether territories had achieved self-government.

### Plenary Resolutions

On December 11, 1975, by a recorded vote of 108 to 3 (U.S.), with 15 abstentions, the General Assembly adopted an omnibus resolution on decolonization under its agenda item, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." The resolution, sponsored by 60 states, inter alia, (1) affirmed the determination of the General Assembly to continue to take all necessary steps to effect the complete and speedy eradication of colonialism; (2) approved the 1975 report of the Committee of 24; (3) called upon all states, in particular the administering powers, and the specialized agencies and other organizations within the UN system to give effect to the recommendations contained in the report; (4) reaffirmed the legitimacy of the struggle of the people under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal; (5) requested all states to withhold assistance of any kind from the Government of South Africa and from the illegal regime in Southern Rhodesia until they restore to the peoples of Namibia and Zimbabwe their inalienable right to self-determination and independence; (6) called upon the colonial powers to withdraw immediately and unconditionally their military bases and installations from colonial territories and to refrain from establishing new ones; and (7) urged all states, directly and through their action in the specialized agencies and other organizations within the UN system, to provide all moral and material assistance to the oppressed peoples of Namibia and Zimbabwe.

The United States strongly opposed this resolution and called on all UN members to oppose it. In a statement before the vote, Ambassador Moynihan pointed out that the resolution suffered from the fatal defect of endorsing in its totality the annual report of the Committee of 24. Ambassador Moynihan then examined in some detail U.S. opposition to the conclusions and recommendations of Chapters V and VI of that report in particular.



In Chapter VI<sup>14/</sup> the Committee recommended that the General Assembly strongly condemn the military and naval activities of the United States on Guam as detrimental to the inherent rights of the people of the territory to self-determination. In the same Chapter the Committee concluded that U.S. military installations in the Caribbean were a threat to the sovereignty, independence, and territorial integrity of the states in the Latin American region. In Chapter V<sup>15/</sup> of the report the Committee stated that NATO countries were strengthening the minority governments of southern Africa through financial and technological cooperation within the framework of NATO. Ambassador Moynihan denied all of these allegations and pointed out the falsity of the Committee's conclusions. He ended his statement with the assertion that "The United Nations has got to the point where responsible and truthful representatives are prepared to accept a report on matters of serious concern to all of us which is riddled with untruth." He called on all members to vote against the resolution.

On the same day the Assembly adopted a companion resolution, sponsored by 57 states, entitled "Dissemination of Information on Decolonization." The United States opposed this resolution, which was adopted by a recorded vote of 117 to 2 (U.S.), with 6 abstentions, because, inter alia, it called on the Secretary General to give widespread publicity to the work of the United Nations in the field of decolonization. It would, in effect, have resulted in the publicizing of the erroneous allegations contained in the report of the Committee of 24.

Under its agenda item on "Cooperation between the United Nations and the OAU," the General Assembly on November 28 adopted by consensus a resolution sponsored by 46 African states. The resolution, inter alia, (1) reaffirmed the determination of the United Nations, in cooperation with the OAU, to intensify its efforts to find a solution to the present grave situation in southern Africa; (2) requested the Secretary General to continue to take measures to strengthen cooperation

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14/ "Military Activities and Arrangements by Colonial Powers in Territories under Their Administration Which Might Be Impeding the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples."

15/ "Activities of Foreign Economic and Other Interests Which Are Impeding the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, Namibia, and in All Other Territories under Colonial Domination and Efforts to Eliminate Colonialism, Apartheid, and Racial Discrimination in Southern Africa."

between the United Nations and the OAU, particularly with regard to the provision of assistance to the victims of colonialism and apartheid in southern Africa; and (3) decided to invite as observers, on a regular basis and in accordance with earlier practice, representatives of the national liberation movements recognized by the OAU to participate in the relevant work of the main committees of the General Assembly and its subsidiary organs and in conferences, seminars, and other meetings held under UN auspices, and requested the Secretary General in consultation with the OAU to ensure that the necessary arrangements were made for their effective participation, including requisite financial provisions.

In a statement after the vote, the U.S. Representative, Pearl Bailey, said that the United States was pleased to participate in the adoption of the resolution by consensus. It participated on the understanding, however, that the reference in a preambular paragraph to the October 1 address to the Assembly by President Idi Amin Dada of Uganda pertained solely and exclusively to that portion of the address delivered in his capacity as Chairman of the OAU and in no way to his remarks as President of his country. This clarification was made because the United States did not agree with a number of the statements by President Amin in that section of his speech made as Ugandan head of state.



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**PART IV.**

**LEGAL DEVELOPMENTS**

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Legal questions are relevant to a significant part of the work of the United Nations. Many of these questions, such as review of the UN Charter, law of the sea, and the uses of outer space, are discussed in other parts of this report in connection with the underlying issues to which they relate. However, because of their specifically legal character, Part Four deals separately with the activities of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the General Assembly's Sixth (Legal) Committee, and special conferences of committees that consider such questions as relations between UN missions and host countries.

### INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. The Court's principal functions are to decide such cases as are submitted to it by states and to give advisory opinions on legal questions at the request of intergovernmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no two of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. As a result of elections held in 1975, the Court in 1976 will be composed of judges from Argentina, Benin, Federal Republic of Germany, France, India, Japan, Nigeria, Poland, Senegal, Spain, Syria, U.S.S.R., United Kingdom, United States, and Uruguay.

Only one case, concerning Western Sahara, was before the Court in 1975.

On December 13, 1974, the 29th General Assembly had adopted a resolution recommended by its Fourth Committee during its consideration of the decolonization process in Spanish Sahara requesting the Court to give an advisory opinion on questions relating to the status of the territory. The Assembly's questions, received by the Court on December 21, 1974, were:

"I. Was Western Sahara (Río de Oro and Sakiet El Hamra) at the time of colonization by Spain a territory belonging to no one (terra nullius)?"

"If the answer to the first question is in the negative,

"II. What were the legal ties between this territory and the Kingdom of Morocco and the Mauritanian entity?"

The Court received written statements on the questions in the spring of 1975. Following five public sittings from May 12 to 16, the Court on May 22 authorized the Moroccan Government to choose a judge ad hoc to sit in the proceedings. The subsequent oral proceedings occupied 27 public sittings between June 25 and July 30. On October 16 the Court delivered its advisory opinion.

The Court unanimously found that the territory was not terra nullius when Spain had colonized it, because the peoples in Western Sahara, prior to colonization, were socially and politically organized in tribes under chiefs competent to represent them, and because Spain's colonization had proceeded through agreements with the local chiefs rather than mere occupation.

On the second question, concerning possible legal ties between the territory and Morocco and "the Mauritanian entity" prior to colonization, the Court ruled (14 to 2 and 15 to 1, respectively) that there had been legal ties of allegiance between the Sultan of Morocco and some of the tribes in Western Sahara, and lesser legal ties between Western Sahara and the "Mauritanian entity" as the result of the enjoyment of certain land use rights in Western Sahara by the peoples of the territory now constituting Mauritania.

On the other hand, however, the Court, by the same votes, rejected the principal Moroccan and Mauritanian contentions by holding "that the materials and information presented . . . do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity." The Court further concluded that it had found no legal ties of such a nature as might affect the right of the people of Western Sahara to exercise self-determination through the free and genuine expression of their will, as contemplated by the General Assembly's 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples.



As an advisory opinion, the Court's decision does not have to be followed by the United Nations and does not bind the disputing countries. It is, however, an authoritative interpretation of the Law. (See also Part III, p. 300.)

### INTERNATIONAL LAW COMMISSION

The International Law Commission was established by the General Assembly in 1948 to promote the codification and progressive development of international law. It is composed of 25 experts, elected by the Assembly for 5-year terms, who serve in their individual capacities. Richard D. Kearney of the United States is a member of the Commission.

In discharging its function the Commission studies topics it has determined are suitable for codification or that other UN bodies, usually the General Assembly, refer to it. Its normal procedure is to select one of its members to prepare a report and, after discussion, draft articles. The Commission sends tentative texts to governments for review, reconsiders them in the light of government comments, then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

At its 27th session, held in Geneva, May 5 - July 25, 1975, the Commission continued its work on two major items, adopting six articles on state responsibility and three on the succession of states in respect of matters other than treaties. It also adopted a number of articles on two lower priority topics--the most-favored-nation clause, and treaties concluded between states and international organizations or between two or more international organizations. A fifth topic, the law of the nonnavigational uses of international watercourses, was not considered in 1975, pending replies from governments to a questionnaire the Commission had prepared in 1974.

In the course of its 27th session, the Commission established a 5-member Planning Group, chaired by Ambassador Kearney, to study the functioning of the Commission and formulate suggestions regarding its work. The Group proposed targets, varying from 1 to 6 years, for completion of various phases of the work currently

before the Commission. These suggestions were subsequently endorsed in principle by the full Commission, which also decided to keep the Planning Group in existence.

## STATE RESPONSIBILITY

In 1975, with the provisional adoption of articles 10 to 15, the Commission completed its study of Chapter II, "The Act of the State Under International Law." The purpose of this Chapter is to determine what conduct is regarded by international law as an act of the state for the purpose of establishing the possible existence of an internationally wrongful act. (Chapter I, "General Principles," was completed in 1973. Three additional chapters, "Breach of an International Obligation," "Participation by Other States in the Internationally Wrongful Act of a State," and "Circumstances Precluding Wrongfulness and Attenuating or Aggravating Circumstances" are still to be considered.)

Under the articles approved in 1975 the conduct of a state organ shall be considered an act of the state, even if the organ acted outside its competence or contrary to instructions, but the conduct of persons not acting on behalf of the state shall not be considered an act of the state. The conduct of a state organ in the territory of another state, or the conduct of the organ of an international organization in any state, shall not be considered as the act of the state in which it takes place. The conduct of an organ of an insurrectional movement within a state shall not be considered an act of the state. However, the act of an insurrectional movement that becomes the new government of a state or that results in the formation of a new state shall be considered an act of the new government or new state.

## SUCCESSION OF STATES IN MATTERS OTHER THAN TREATIES

In 1973 the special rapporteur on "succession of states in matters other than treaties" submitted 40 articles to the Commission, which provisionally adopted eight of them. The first three dealt with the scope of the articles and definition of terms, the next five dealt with general provisions applicable to Part I, "Succession to State Property." The Commission did not consider this subject in 1974, but in 1975 it adopted three more articles on succession to state property. Article 9 provides that state property which, on the date of the succession of states, is situated in the territory to which the succession relates shall pass to the successor state. Article 10 concerns the rights in respect of the authority to grant concessions. The



Commission reserved its position on this article, pointing out that it considered it unnecessary that the draft should affirm the principle of the sovereignty of the successor state over its natural resources, since that principle derives from statehood itself and not from the law of succession of states. Article 11 provides that debts owed to the predecessor state by virtue of its sovereignty over, or activity in, the territory to which the succession of states relates shall pass to the successor state.

#### MOST-FAVORED-NATION CLAUSE

A most-favored-nation clause is a treaty provision in which the granting state binds itself to accord to a beneficiary state treatment on a specific subject on terms no less favorable than the terms accorded to any third state. In 1973 the Commission had adopted seven articles concerning definition and scope. In 1975 the Commission provisionally adopted 14 more articles relating primarily to the application of such clauses. The Commission, while recognizing the fundamental importance of the role of the most-favored-nation clause in the area of international trade, has determined that it will not confine its study to this area. Instead, it is extending its study to as many fields as possible so that the scope and effect of the clause as a legal institution can be clarified. The articles that it is drafting are designed to be supplementary to the 1969 Vienna Convention on the Law of Treaties.

#### TREATIES BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN INTERNATIONAL ORGANIZATIONS

In its work on treaties involving international organizations, the Commission is trying, to the extent possible, to extend to such organizations the provisions of the 1969 Vienna Convention on the Law of Treaties. During 1975 it provisionally adopted a number of articles on such aspects as adoption of treaties, means of establishing consent to be bound by a treaty, and the act of formal confirmation. No agreement was reached, however, on such questions as (1) the possible conflict between an international organization and its member states in making or objecting to reservations in respect of a treaty to which both the organization and the member states are parties, and (2) whether there should be separate rules to govern treaties to which only organizations are parties and those to which both states and organizations are parties.

## GENERAL ASSEMBLY ACTION

At 28 meetings between September 24 and December 4 the Sixth Committee of the 30th General Assembly considered two agenda items related to the Commission's work--"report of the International Law Commission" and "succession of states in respect of treaties." Over half of the member states took part in the debate and two resolutions were approved.

On November 26 Argentina introduced a draft resolution on the report of the Commission that was sponsored by 20 members, including the United States. The Committee approved the draft by consensus the same day. In the resolution's most important paragraphs the Assembly (1) approved the program of work planned by the Commission for 1976; (2) recommended that the Commission (a) complete at its next session the first reading of draft articles on the most-favored-nation clause, (b) continue "on a high priority basis" its work on state responsibility, in order to complete at the earliest possible time a first set of draft articles on the responsibility of states for internationally wrongful acts and to take up the separate topic of international liability for injurious consequences arising out of acts not prohibited by international law, and (c) proceed "on a priority basis" with preparing draft articles on the succession of states in respect of matters other than treaties; and (3) expressed confidence that the Commission would review the progress of its work and adopt the methods of work best suited to the speedy realization of the tasks entrusted to it.

The General Assembly adopted the resolution by consensus on December 15.

The agenda item on "succession of states in respect of treaties" concerned a 39-article draft convention that the International Law Commission had completed in 1974 and submitted to the 29th General Assembly. The Assembly, in turn, had adopted a resolution inviting member states to comment on the draft articles and on the procedures by which and the form in which work on the draft articles should be completed.

The United States was one of only 16 states to submit written comments during 1975. Its view, submitted on May 5, was that some of the articles needed further clarification, but that the most appropriate forum for this clarification would be a diplomatic conference convened "at an early date." These views were reiterated during the Sixth Committee's debate in the fall.



On December 3, by a vote of 70 (U.S.) to 1, with 28 abstentions, the Sixth Committee approved a resolution that had been introduced by the United Kingdom and amended by Mali and others. In the resolution's final form the Assembly requested written comments on the draft articles from states that had not yet submitted them and decided to convene a conference of plenipotentiaries in 1977 to consider the draft articles and to embody the results of its work in an international convention and such other instruments as it might deem appropriate.

The General Assembly adopted the resolution in plenary session on December 15 by a vote of 95 (U.S.) to 0, with 28 abstentions.

### INTERNATIONAL TRADE LAW

The UN Commission on International Trade Law (UNCITRAL) was established by the General Assembly in 1966 to promote the progressive harmonization and unification of the law of international trade. The Commission is composed of 36 states elected by the Assembly for a term of 6 years.<sup>1/</sup>

Much of UNCITRAL's basic work is carried out by working groups, varying in size from 7 to 21 members, which meet between sessions of the full Commission to consider in detail topics on the agenda. The United States is a member of all of the working groups. The Commission also works closely with consultative groups of private experts, convened by the Secretary General, and with other UN and nongovernmental organizations engaged in work on topics of concern to it.

UNCITRAL's eighth session, which took place in Geneva, April 1-17, 1975, considered the following topics: international sale of goods, international payments, international legislation on shipping, international commercial arbitration, multinational enterprises, and liability for damage caused by products involved in international trade. The U.S. Representative was Richard D. Kearney.

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Members in 1975 were Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Chile, Cyprus, Czechoslovakia, Egypt, France, Gabon, Federal Republic of Germany, Ghana, Greece, Guyana, Hungary, India, Japan, Kenya, Mexico, Nepal, Nigeria, Norway, Philippines, Poland, Sierra Leone, Singapore, Somalia, Syria, Tanzania, U.S.S.R., United Kingdom, United States, and Zaire.

## INTERNATIONAL SALE OF GOODS

The Commission's Working Group on this subject submitted a progress report on its revision of the Uniform Law on the International Sale of Goods, which deals with the obligations of buyers and sellers arising from international sales contracts. The purpose of the revision is to reach agreement on widely acceptable rules that can be understood by businessmen engaged in international trade.

The Working Group reported that it had reached tentative agreement on a text of 83 articles to be embodied in a new convention on international sale of goods. The articles followed as closely as possible the formulations in the 1974 Convention on the Limitation Period in the International Sale of Goods whenever there were articles on similar topics in the two texts. The Commission called on the Working Group to complete its work on the sales convention expeditiously.

## INTERNATIONAL PAYMENTS

The Commission's Working Group on International Negotiable Instruments reported that it had continued its work on drafting a uniform law on international bills of exchange and promissory notes. The proposed law, to be incorporated in a convention, will establish uniform rules applicable to a new international negotiable instrument for optional use in international payments. In particular, the Working Group reported that it had reached conclusions on the following topics: the requirement to give notice when an instrument has been dishonored by nonacceptance or nonpayment and the conditions of such notice; the sum that is due to the holder and to a party secondarily liable; means by which a party may discharge his liability on an instrument; and the question of limitation of legal proceedings and prescription of rights arising in the context of an international instrument. UNCITRAL requested the Working Group to complete its work as soon as possible.

UNCITRAL also reviewed the 1974 revision of the "Uniform Customs and Practice for Documentary Credits," which had been prepared by the International Chamber of Commerce to allow for developments in transport technology and changes in commercial practice since the establishment of a previous text in 1962. The Commission commended the use of the new text in international transactions involving the establishment of a documentary credit.



"Security interests in goods"<sup>2/</sup> appeared on the Commission's agenda for the first time since 1970, when it had requested the Secretary General to make a study of the rules in this area under the principal legal systems. The Secretary General's report, before the Commission in 1975, summarized a comparative law study prepared by a consultant and suggested that an important need in international commerce might be filled if a security interest, which would be enforceable by a foreign creditor against the debtor and third parties in the country where the goods were situated, were made available, through uniform rules, to merchants and trade and financing institutions. The Commission deferred any decision whether to take up the subject pending the submission of further information concerning the law in additional countries, particularly in Eastern Europe, and of a feasibility study on the possible scope and content of uniform rules on the subject.

#### INTERNATIONAL LEGISLATION ON SHIPPING

UNCITRAL noted with appreciation that its Working Group on International Legislation on Shipping had completed its work by proposing a draft Convention on the Carriage of Goods by Sea to replace the 1924 Hague Rules and the (unratified) Brussels Protocol of 1968. The draft convention sets out rules relating to bills of lading, provides limits of liability of the carrier in the event of loss or damage to the goods, and defines the period of the carrier's responsibility for the cargo. It also covers liability of the shipper. The Commission decided to examine the draft in detail at its next session.

#### INTERNATIONAL COMMERCIAL ARBITRATION

The Commission examined a preliminary draft set of arbitration rules for optional use in ad hoc arbitration relating to international trade that had been prepared by the Secretariat in cooperation with a special consultant and a group of arbitration experts. The aim of the 32 draft rules is to facilitate settlement through arbitration of disputes arising from international trade transactions.

The debate focused on the major issues dealt with in the individual articles as well as on the basic concepts underlying the draft. The Commission decided to ask the Secretary General to prepare a revised draft of

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A mechanism that provides the seller with a lien on property until full payment is made.

the rules, taking into account the points made in the debate, for final examination and adoption at its next session.

#### MULTINATIONAL ENTERPRISES

The Commission took note of the establishment by ECOSOC of the Commission on Transnational Corporations subsequent to the inscription of the topic on the UNCITRAL agenda. In light of this development it decided to defer preparing any program of work on the subject. In order to maintain coordination with the Commission on Transnational Corporations, however, it informed the new Commission of this decision and indicated that it was prepared to consider favorably any request by the latter that it examine specific legal issues falling within its mandate.

#### LIABILITY FOR DAMAGE CAUSED BY PRODUCTS INTENDED FOR OR INVOLVED IN INTERNATIONAL TRADE

The Commission considered a report on this subject submitted by the Secretary General. The report summarized the work on the topic being done in a number of other organizations, pointing out the practical aspects of the problem as well as the difficulties that would be involved in preparing a set of legal rules acceptable within the framework of different legal systems. The Commission agreed that further information was necessary before it could take a final decision on the future course of its work in this area and requested the Secretary General to prepare such a report for consideration at its next session.

#### GENERAL ASSEMBLY ACTION

The Sixth Committee of the 30th General Assembly considered UNCITRAL's report at nine meetings between September 30 and November 26; 33 states took part in the debate. As in previous years, the speakers generally stressed the importance of UNCITRAL's work, approved the flexible working methods it has used since its inception, and commended it and its working groups on their progress.

On November 25 Egypt introduced a draft resolution, sponsored by 26 states, that was for the most part similar to earlier resolutions on UNCITRAL. Inter alia, this draft noted various parts of the Commission's report and recommended that it (1) continue its work on



the subjects already on its agenda, (2) maintain close collaboration with UNCTAD and other international organizations concerned with international trade law, (3) maintain liaison with the Commission on Transnational Corporations with respect to the consideration of legal problems susceptible of action by it, and (4) continue to give special attention to the interests of developing countries, bearing in mind the special problems of landlocked countries.

However, the draft resolution also contained a paragraph calling on UNCITRAL to take account of the relevant provisions of the sixth and seventh special sessions of the General Assembly "that lay down the foundations of the new international economic order, bearing in mind the need for United Nations organs to participate in the implementation of those resolutions."

The United States, which maintains strong reservations on the resolutions adopted by the sixth special session, requested a separate vote on that paragraph, but the request was denied by a vote of 24 in favor to 67 opposed, with 12 abstentions. The United States then abstained on the resolution as a whole, which was approved by a rollcall vote of 98 to 0, with 4 abstentions (Federal Republic of Germany, Swaziland, United Kingdom, United States). Swaziland subsequently explained that it had intended to vote in favor, and a number of states that voted for the resolution explained that they would not have supported the paragraph in question had a separate vote been taken on it.

The Assembly adopted the resolution in plenary session on December 15 by a vote of 121 to 0, with 3 abstentions (U.S.).

#### HUMAN RIGHTS IN ARMED CONFLICTS

On September 19, 1975, the General Assembly included in the agenda of its 30th session, and allocated to its Sixth Committee, items entitled "Respect for human rights in armed conflicts: report of the Secretary General" and "Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict." These items were considered together by the Sixth Committee at three meetings between November 26 and December 1.

The report of the Secretary General referred to in the title of the first item related to the proceedings and results of the second session of the Diplomatic

Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, convened by the Swiss Federal Council at Geneva from February 3 to April 18, 1975. That Conference was entrusted with the task of considering two draft Additional Protocols to the Geneva Conventions of 1949 for the Protection of War Victims, one concerning international armed conflicts and the other concerning noninternational armed conflicts, and the question of the possible prohibition or restriction of specific conventional weapons alleged to cause unnecessary suffering or to have indiscriminate effects.

During the second session of the Conference, one of its committees adopted a draft resolution and a draft article concerning the protection of journalists in areas of armed conflict. The draft article would require that journalists be treated as civilians rather than combatants for the purpose of the Geneva Conventions, and it prescribed a model for identity cards to be issued to journalists. The draft article is intended to replace a separate convention on the subject, first proposed by France in the General Assembly's Third Committee in 1970. The draft resolution would inform the UN Secretary General of the adoption of the article.

On November 26, Mali introduced a draft resolution that was eventually sponsored by 20 states from all geographic areas. In two of its preambular paragraphs the draft (1) welcomed the substantial progress made at the second session of the Diplomatic Conference, and (2) noted that the Conference would continue its consideration of the use of specific conventional weapons, including any that might be deemed to be excessively injurious or to have indiscriminate effects, and its search for agreement for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons. In its operative paragraphs the draft, inter alia, (1) called upon all parties to armed conflicts to acknowledge and comply with their obligations under various international instruments and rules, including the 1899 and 1907 Hague Conventions, the 1925 Geneva Protocol, and the 1949 Geneva Conventions; (2) urged all participants in the Conference to do their utmost to reach agreement on additional rules to alleviate suffering and to protect noncombatants; and (3) took note with appreciation of the actions taken at the second session of the Conference concerning the protection of journalists.



In a statement on November 28 the U.S. Representative, Ambassador Bennett, reaffirmed the U.S. interest in improving existing rules regarding human rights in armed conflicts and in seeing that the rules were effectively implemented. He noted that the progress achieved at the second session of the Diplomatic Conference gave reason to believe that new protocols would be adopted within a reasonable period of time. He noted in particular the "impressive progress" with respect to the protection of journalists and he predicted that final action on this aspect of the problem would be achieved in 1976 at the next session of the Conference.

On December 1 the Sixth Committee approved the draft resolution without a vote, and on December 15 the General Assembly adopted it by consensus in plenary session.

### DIPLOMATIC ASYLUM

Pursuant to a resolution adopted by the 29th General Assembly on the initiative of Australia, 25 states, including the United States, submitted to the Secretary General their views on the question of diplomatic asylum.

The U.S. submission, on September 8, 1975, reaffirmed the comments of the U.S. Representative in the Sixth Committee during the 29th General Assembly, specifically maintaining the basic propositions that (1) diplomatic and territorial asylum are two completely different notions; (2) the principles asserted as underlying the concept of diplomatic asylum are numerous, are not always articulated in a consistent manner by advocates of the concept, and do not, in fundamental regards, comport with universally accepted norms of international law; and (3) the noteworthy practice of diplomatic asylum that has existed in Latin America has operated in large measure not merely through treaties, but by common unarticulated understandings. As a consequence, the United States did not believe the Latin American practice could be generalized to extend over the international community.

The Sixth Committee of the 30th General Assembly considered the question of diplomatic asylum at eight meetings between October 28 and November 10, 1975. Over 50 states took part in the debate, during which the Committee had before it the Secretary General's analytical report on the subject.

Opening the debate on October 28, the Australian Representative said that his government had initiated the item in 1974 in order to foster what it regarded as a beneficial concept. He said that there were a number of factors involved in the institution of diplomatic asylum, the foremost being the humanitarian element. In his view, granting asylum was performing an immediately valuable social function, which might, in a particular case, result in saving a life that could otherwise be lost. He said that his delegation believed that the institution of diplomatic asylum had become recognized in international law, but acknowledged that there were differences of opinion with regard to its legality and extent. He noted that in the report of the Secretary General it was stated that the official position of a state regarding diplomatic asylum might not necessarily coincide with its actual attitude. He expressed the hope that the Sixth Committee would be a forum for the expression of a state's true attitude on the question.

Speaking on October 31, the U.S. Representative expressed gratitude to the Government of Australia for the manner in which it had focussed UN concern on issues which, since they involved human rights, needed to be thought about. However, a number of countries, including the United States, did not believe it would be productive for the Committee to study the matter further at the present time. After reiterating the U.S. position on diplomatic asylum, he said that those agreeing with the United States that universalizing diplomatic asylum was not the appropriate way to respond globally to humanitarian needs were duty bound to be particularly vigilant in their concern for the rights of individuals and for political and civil liberties, including the right of due process of law and the right to leave and return to one's country of origin.

On November 4, Australia introduced a draft resolution, ultimately sponsored by 21 states, that (1) thanked the Secretary General for his report on the question of diplomatic asylum, (2) invited states to communicate to the Secretary General their views on the question by December 31, 1976, and (3) decided that the General Assembly would give further consideration to the question "at a future session." The Australian Representative said that the discussion in the Committee had been both instructive and encouraging, and he noted that no specific date had been given for further consideration since it was believed that any real progress must necessarily be gradual.

The Sixth Committee approved the draft resolution by consensus on November 10, and the General Assembly adopted it, also by consensus, on December 15.



## INTERNATIONAL TERRORISM

After two previous sessions of the Assembly had deferred consideration of the question of international terrorism because of lack of time, the 30th General Assembly once again included on its agenda the item, "Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance, and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes."

The item was referred to the Sixth Committee, along with the 1973 report of the Ad Hoc Committee on International Terrorism. However, the Sixth Committee did not reach the item until the session was nearly over. On December 4 it held a brief debate on the topic in which 12 states took part. Bolivia, France, the Federal Republic of Germany, Israel, Turkey, the United Kingdom, the United States, and Uruguay were among states that called for UN action to deal with the problem.

The U.S. Representative, Mr. Rosenstock, deplored the fact that acts of terrorism continued to plague the international community and noted that little action had been taken to deal with the problem. He said that the United States had not pressed hard for action at the 30th Assembly because it recognized that many states were not yet prepared to face up to the problem. To press for action in such circumstances could lead to the creation of unnecessary barriers to constructive developments. Nevertheless, in the U.S. view, it was time for the international community to accept its responsibilities and to begin work on legal measures to combat acts of terrorism. He urged that work concentrate on acts by individuals and groups, rather than by states--which was already being dealt with in other contexts--and that the question of causes for such acts not be used as a bar to taking legal measures. He also urged that further consideration be given to the draft convention that the United States had submitted in 1972. That draft, still before the Committee, was formulated so as to deal only with the most serious criminal threats. Finally, he expressed the hope that the Committee's discussion in 1975 would at least lay the foundation for meaningful action in 1976.

On the initiative of Tunisia, the Committee decided without a vote that because of the lack of time further consideration of the question should be deferred until the 31st session of the Assembly. On December 15 the General Assembly in plenary session approved by consensus the recommendation of the Sixth Committee that the item be placed on the agenda of its 31st session.

### HOST COUNTRY RELATIONS

Maintaining the security of missions to the United Nations and of their personnel is a serious problem of concern to the United States and the diplomatic community at large. The Committee on Relations with the Host Country <sup>3/</sup>continued to work on this problem during 1975 at the request of the 29th General Assembly.

The Committee met 15 times during the year to consider the security of missions and personnel and other issues arising in connection with the status of representatives of UN members. Among the security incidents discussed were the firing of shots and bombings of mission buildings. The measures taken by the United States to ensure mission security were praised by some Committee members, while others considered those measures to be inadequate. Expressing deep regret over these incidents, the U.S. Representative, Ambassador White, said that the U.S. authorities were conducting a complete review of security procedures and were taking steps to ensure that every legal means was taken to apprehend and punish those responsible for the attacks, as well as to prevent recurrences. She also pointed out that international criminal terrorism against diplomatic personnel was a global phenomenon which caused the United States grave concern and against which the United States had endeavored, with limited success, to mount a global attack. She pledged that U.S. multilateral, bilateral, and unilateral efforts would continue.

In its report, adopted on September 12, the Committee, inter alia, (1) condemned acts of violence, other criminal acts, and all acts whose purpose is the harassment of missions, their personnel, and their property; (2) recommended that all appropriate preventive measures should be taken to discourage criminal acts against missions, including, in particular, that the law enforcement mechanism should operate in such a

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Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Spain, Tanzania, U.S.S.R., United Kingdom, United States.



way that it is made clear to persons contemplating such acts that if they commit them they will be punished; (3) urged that the 1972 Federal Act for the Protection of Foreign Officials and Official Guests of the United States be fully implemented; (4) called on the member states to cooperate with federal and local U.S. authorities in cases affecting the security of missions and their personnel; (5) urged the host country, the UN Secretariat, and other organizations involved to seek the promotion of mutual understanding between the diplomatic community and local population to ensure good relations among all concerned; (6) recalled that it is the duty of all members of the diplomatic community to respect the laws and regulations of the receiving state; and (7) expressed the hope that the host country would again review measures adopted with regard to the parking problem to meet more adequately the needs of the diplomatic community.

The Sixth Committee of the 30th General Assembly briefly considered the report of the Committee on Host Country Relations at four meetings between November 5 and December 1. On the latter day it approved by consensus a draft resolution sponsored by Cyprus, Libya, and the Ukrainian S.S.R. incorporating the recommendations of the Committee on Host Country Relations and deciding to continue the work of the Committee in 1976. The General Assembly subsequently adopted the resolution by consensus on December 15.

### REPRESENTATION OF STATES

In 1972 the 27th General Assembly had decided that it would convene as soon as practicable an international conference to consider draft articles prepared by the International Law Commission on the representation of states in their relations with international organizations. The Assembly further decided that the conference would embody the results of its work in an international convention and such other instruments as it might deem appropriate.

The conference was held in Vienna from February 4 to March 14, 1975, and it adopted by a vote of 57 to 1, with 15 abstentions (U.S. and most other states that are hosts to major international organizations), the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. The 92-article convention deals with the status, privileges, and immunities to be enjoyed by representatives of states to international organizations, and with the obligations and duties owed by such representatives. In an explanation of vote, the United States said that the convention was unaccept-

able because it expanded the obligations of host states to an unjustified extent while decreasing their rights. It had, further, gone beyond the requirements of article 105 of the UN Charter by according greater privileges and immunities to missions and delegations than were required for the independent carrying out of their duties and functions.

The convention will enter into force on the 30th day following the date of deposit with the UN Secretary General of the 35th instrument of ratification or accession. No state had ratified it by the end of 1975.

The conference also adopted two resolutions which it requested the UN General Assembly to consider. The first related to the privileges and immunities to be accorded the national liberation movements recognized by the OAU or the League of Arab States. The resolution requested the Assembly to examine the question without delay, and recommended that, in the interim, states should be guided by the pertinent provisions of the convention and should accord to delegations of such movements the privileges and immunities necessary for the performance of their tasks. The U.S. delegation to the conference opposed the resolution because in its view national liberation movements were not entitled to enjoy privileges and immunities.

The other resolution related to the application of the convention in future activities of international organizations. It recommended that the UN Secretary General should inform UN members whether a state that has asked to host a future conference of an "international organization of universal character" (i.e., generally the United Nations and the specialized agencies) has ratified or acceded to the convention. The United States opposed this resolution which, in its view, would serve no useful purpose.

At the request of the Secretary General the resolutions were included in the agenda of the 30th General Assembly, which allocated them to its Sixth Committee. However, on December 4, the Committee recommended that because of the lack of time consideration of the resolutions should be deferred until the 31st session of the Assembly. On December 15 the plenary Assembly approved the recommendation without a vote.

#### ASSISTANCE IN INTERNATIONAL LAW

The "UN Program of Assistance in the Teaching, Study, Dissemination, and Wider Appreciation of International Law" was established by the General Assembly in 1965. The two-fold program was to consist of



(1) steps to encourage and coordinate existing international law programs and (2) forms of direct assistance and exchange, such as seminars, training and refresher courses, fellowships, advisory services of experts, the provision of legal publications and libraries, and translations of major legal works. The Assembly also established an Advisory Committee<sup>4/</sup> to assist the Secretary General in developing and carrying out the Program. Both UNESCO and UNITAR were specifically invited to participate in the Program, and both have done so since its inception.

At six meetings between November 25 and December 3, 1975, the Sixth Committee of the 30th General Assembly considered the Secretary General's report on the Program's activities during 1974-75 and those planned for 1976-77. In his report, the Secretary General estimated at \$176,000 the cost of the fellowships and travel grants planned for the next biennium.

On December 1 Ghana introduced a draft resolution, ultimately sponsored by nine states, that (1) authorized the Secretary General to carry out in 1976-77 the activities recommended in his report, including the provision of (a) a minimum of 15 fellowships, at the request of developing countries, and (b) a travel grant for one participant from each developing country invited to the regional activities to be organized during the 2 years; (2) expressed appreciation to the Secretary General for his constructive efforts to promote training and assistance in international law; (3) expressed appreciation to UNESCO and UNITAR for their cooperation and participation in the Program and to Sierra Leone and Zaire for serving as hosts for regional training and refresher courses held in 1975; (4) urged all governments to encourage the inclusion of courses on international law in the programs of legal studies offered at institutions of higher learning; (5) requested the Secretary General to continue publicizing the Program; (6) reiterated a request to member states, interested organizations, and individuals to make voluntary contributions toward financing the Program; (7) decided to appoint Barbados, Cyprus, El Salvador, France, Ghana, Hungary, Italy, Mali, Syria, Tanzania, U.S.S.R., United Kingdom, and United States as members of the Advisory Committee for a period of 4 years beginning January 1, 1976; and (8) requested the Secretary General to report again in 1977.

On December 3 the Sixth Committee approved the draft resolution without objection, and on December 15 the General Assembly adopted it by consensus.

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<sup>4/</sup>The 13 members in 1975 were Barbados, Belgium, Cyprus, El Salvador, France, Ghana, Hungary, Iraq, Mali, Tanzania, U.S.S.R., United Kingdom, and United States.





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**PART V.**

**BUDGET AND ADMINISTRATION**

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## UN FINANCIAL MATTERS

### UN FINANCIAL SITUATION

In the introduction to his annual report on the United Nations and in a statement to the 30th General Assembly's Fifth Committee (Administrative and Budgetary) on September 25, the Secretary General commented on the general financial situation of the organization which, he said, "continues to cause me great concern." He stated that the United Nations continued to find itself in a position where it had no reserves on which to fall back. Noting that this problem grew larger each year, he urged, but did not formally propose, that the size of the working capital fund be doubled (to \$80 million) and that member states be encouraged to pay their assessments more promptly.

The working capital fund was established in 1946 to provide a cash reserve to tide the United Nations over until assessed contributions were received from members and to provide a source from which funds could be drawn to meet emergency and unforeseen requirements. Through the years, it has been entirely depleted in order to meet recurring deficits arising from (1) shortfalls in the receipt of assessed contributions, mainly the deliberate withholdings by Eastern European and some other states of assessments for peacekeeping operations and payments on UN bond indebtedness, and (2) payments in nonconvertible and nonutilizable currencies.

On November 5 the Fifth Committee, on the initiative of a group of 27 states from all geographic areas except Eastern Europe, requested the Secretary General to provide specific information on aspects of the financial problems of the United Nations, including the extent and nature of the UN deficit; the cash flow; extent of withholding by member states, as a matter of principle or announced policy, of payment of assessed contributions; payment of assessed contributions in nonconvertible currencies; and attempts previously made to resolve the deteriorating UN financial situation and to restore UN financial solvency. The Secretary General provided the requested information on December 1.

The Fifth Committee considered the report at three meetings between December 8 and 15. During these discussions the United States continued to oppose any increase in the level of the working capital fund, because, in its view, the enlarged fund would be dissipated in a relatively short time by the continuing deliberate withholdings of a few member states. On December 15, by a recorded vote of 65 (U.S.) to 0, with

11 abstentions, the Committee approved a resolution which (1) called on member states to make their best efforts to overcome constraints to the prompt payment early in each year of full assessed contributions and of advances to the working capital fund; (2) established a 54-state Negotiating Committee on the Financial Emergency of the United Nations, the members of which were to be designated by the President of the Assembly on the basis of an equitable geographical balance; <sup>1/</sup>and (3) decided that the mandate of the Committee should be to bring about a comprehensive settlement of the critical financial situation of the United Nations. The resolution also directed the Committee to examine the question of the appropriate level of the working capital fund and requested it to report to the 31st General Assembly on progress achieved with recommendations on further steps that should be undertaken to solve the financial problems of the United Nations.

The General Assembly in plenary session adopted the resolution on December 17 by a recorded vote of 119 (U.S.) to 0, with 12 abstentions.

#### UN REGULAR BUDGET

The General Assembly on December 17, 1975, by a recorded vote of 113 to 9, with 5 abstentions (U.S.), approved an expenditure budget recommended by its Fifth Committee of \$745,813,800 for the 2-year period January 1, 1976, through December 31, 1977. The Assembly also approved by a vote of 100 (U.S.) to 10, with 1 abstention, a supplemental appropriation of \$6,517,000 for the 1974-75 biennium, which raised the total budget to \$612,550,000 for those 2 years. Accordingly, the amount appropriated for 1976-77 exceeded the final budget for 1974-75 by \$133,263,800, a 21.8% increase.

The increase for 1976-77 over 1974-75 was attributable to \$46 million added costs of maintaining the prior level of operations at 1975 prices, some \$60 million for anticipated inflation in 1976, and \$27 million for expanded programs and for costs formerly financed from other sources. Major components of the \$27 million addition included the cost of 646 new positions; \$3.6 million for Arabic language services, which previously had been financed by voluntary contributions of the Arab states; \$2.7 million for the Law of the Sea Conference; \$2 million for increased salaries for members of the International Court of Justice and death and disability benefits for members of the Joint Inspection Unit; \$2 million for other special conferences

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<sup>1/</sup>The United States is a member of the Committee.



and preparatory meetings; \$1.2 million for the World Food Council; and \$0.5 million for preconstruction planning of UNEP headquarters in Nairobi.

Before the vote in plenary, the U.S. Representative, Mr. Haugh, explained the U.S. position. He said that several considerations had inclined the United States to a negative vote. Those considerations included the sheer size of the budget; the astonishing increase, which was only partly accounted for by inflation, over the last biennial budget at a time when throughout the world individuals and governments were being forced to economize; the lack of evidence that economy-mindedness had begun to take hold in the United Nations; the UN grave financial situation as reported by the Secretary General; and the Secretary General's "full-budgeting" approach whereby an extra appropriation for expected inflation was requested for a full 2-year period in advance. However, since many sections of the budget as refined by the ACABQ <sup>2/</sup> and the Fifth Committee were sufficiently acceptable that the United States could either support them or abstain, and taking into account also the willingness of the Secretary General to scale down his inflation estimates for 1976, Mr. Haugh explained that the United States would abstain on, rather than vote against, the budget.

#### INFLATION AND CURRENCY INSTABILITY

The 29th General Assembly in 1974 had requested the Secretary General, in consultation with heads of the other agencies in the UN system, to keep the problems stemming from inflation and currency instability under review and to report to the 30th Assembly. In his report, the Secretary General reviewed developments in the UN system during the year but made no recommendations.

The Fifth Committee considered the subject at seven meetings between November 10 and 20, 1975. It had before it the report of the Secretary General and the related report of the ACABQ.

During the debate Cuba introduced a draft resolution which would have called for developed countries in which UN organizations have their headquarters to pay 80% of the losses to the organizations resulting from

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<sup>2/</sup>Advisory Committee on Administrative and Budgetary Questions, an expert body of 13 members appointed by the General Assembly for 3-year terms. David L. Stottlemeyer of the United States was a member during 1975. On Oct. 30 he was reappointed for a term beginning Jan. 1, 1976.

inflation and currency instability. The remaining 20% would be financed by other member countries in proportions derived from the UN scale of assessments. Under this draft resolution losses experienced at the headquarters of organizations in developing countries would be absorbed by the budget.

The United States opposed the draft resolution on the grounds that inflation and currency instability were phenomena that transcended national borders and could not be attributed to any one country or group of countries, and that it was a fundamental principle of the United Nations that responsibility for meeting its expenses was a collective responsibility. After lengthy debate the draft resolution was defeated by a rollcall vote of 20 to 35 (U.S.), with 33 abstentions.

On December 12 the General Assembly, on the recommendation of its Fifth Committee, without vote took note of the report of the Secretary General and endorsed the views of the ACABQ, which called mainly for a more serious UN effort to cut costs in order to ease the pressures of inflation and currency instability and called on member states to provide to the Secretary General as policy guidance their views on the ordering of priorities in the face of ever-increasing tasks and responsibilities.

#### PROGRAM BUDGETING MACHINERY

A further step toward establishing an integrated system of planning, programming, budgeting, and evaluation in the United Nations was taken with the approval by the 30th General Assembly of the 1976-77 biennial budget, the second one prepared in a program budget format. The program budget presents expenditures in terms of organizational unit and program (outputs) in contrast to the object-of-expenditure budget which emphasizes goods and services (inputs) such as travel, equipment, and the like. Use of the program budget has been strongly supported by the United States and others as a means, inter alia, of improving program effectiveness.

In 1974 the 29th General Assembly had established a 22-member Working Group on UN Program and Budget Machinery <sup>3/</sup>to review the existing intergovernmental and expert machinery for the formulation, review, approval, and evaluation of UN programs and budgets; to recommend means of improving the existing system; and to report to

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<sup>3/</sup> Bangladesh, Brazil, Byelorussian S.S.R., Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Guyana, India, Iran, Japan, Kenya, Netherlands, Poland, Togo, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, and Zambia.



the 30th Assembly. The Committee met between March 21 and May 20, 1975.

The United States presented to the Working Group a detailed proposal for the establishment of an independent evaluation mechanism within the UN system. This proposal was in line with U.S. legislation passed in late 1973 <sup>4/</sup>that called upon the President, acting through the U.S. representatives to the United Nations and its affiliated organizations, to propose and actively seek the establishment of a professionally qualified group to provide an independent and continuous program of selective examination, review, and evaluation of the programs and activities of such organizations. The United States also submitted with its proposal, as called for in the legislation, a statement of auditing and reporting standards prepared by the Comptroller General of the United States.

The Working Group considered the U.S. evaluation proposal and a consensus emerged that the proposal should be referred to the CPC<sup>5/</sup> and ECOSOC for their consideration. It was further agreed that the CPC should be the intergovernmental focal point for reviewing evaluation reports (both internally and externally prepared) on UN activities. The Working Group recommended, among other things, that the CPC should be the main subsidiary organ of both ECOSOC and the General Assembly responsible for planning, programming, and coordination; that it should review the 4-year medium-term plan and the biennial program budgets in alternate years, recommending an order of priorities among UN programs; that it should provide guidance to the Secretariat on program design by interpreting legislative intent; and that it should consider and develop evaluation procedures and their use in the improvement of program design.

The Fifth Committee of the 30th General Assembly considered the Working Group's report at four meetings in October and approved without a vote a resolution sponsored by Brazil, the Dominican Republic, Ecuador, Egypt, Federal Republic of Germany, Iran, Italy, Japan, and Turkey. The resolution, *inter alia*, (1) decided to consider the medium-term plan and biennial budgets in alternate years, beginning in 1976 with the medium-term plan for 1978-81; (2) referred to ECOSOC the recommendations of the Working Group and recommended that ECOSOC (a) take the necessary measures to implement on an experimental basis in 1976 the recommendations for

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<sup>4/</sup>Public Law 93-189 amending the Foreign Assistance Act of 1971.

<sup>5/</sup>The Committee for Program and Coordination consists of 21 states elected by ECOSOC for 3-year terms; the United States is a member.

strengthening the CPC and improving its work and (b) report to the 31st Assembly on the rest of the recommendations which would be considered along with the report of the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System (which had been established by the Assembly at its seventh special session).

The Assembly in plenary session adopted the resolution without objection on November 20.

#### UNEF/UNDOF FINANCING

On October 23, 1975 the Security Council extended UNEF for an additional 1-year period and followed this with an extension of UNDOF for an additional 6-months period on November 30. (See Part I, pp. 5 and 6.)

On the recommendation of its Fifth Committee the General Assembly on October 30 adopted by a vote of 100 (U.S.) to 3, with 2 abstentions, a resolution providing interim funding for UNEF and UNDOF by continuing the then existing funding resolution through November 30 to allow time for adequate consideration of a new financing resolution.

A resolution appropriating \$94.3 million for the third year of UNEF was subsequently adopted on November 28, by a recorded vote of 90 (U.S.) to 3 (Albania, Libya, Syria), with 11 abstentions. A third resolution, adopted December 2 by a vote of 76 (U.S.) to 2, with 10 abstentions, appropriated \$7.7 million for the next 6 months of UNDOF and also authorized the Secretary General to enter into commitments for up to \$1.3 million per month for an additional 6 months should the Force be continued beyond May 31, 1976. As in earlier votes on UNEF and UNDOF, China did not participate in the voting.

Aside from the transfer of Portugal from the list of developed member states to the category of "economically less developed member states" and the assignment of new members--Bangladesh, Grenada, and Guinea-Bissau--to the category of those member states assessed the minimum amount, the resolutions were essentially the same as those adopted by the 28th and 29th General Assemblies. Thus, the principle of the special responsibility of the permanent members of the Security Council for the maintenance of international peace and security and the implicit endorsement of the collective responsibility of the entire membership of the organization for meeting peacekeeping costs were once again reaffirmed.



## SCALES OF ASSESSMENT

The U.S. shares of the assessed budgets of the United Nations, the specialized agencies, and the IAEA were as follows:

	1975 (Percent)	1976 (Percent)
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
ILO	25.00	25.00
IMCO	4.76	4.38
ITU	7.22	7.20
UNESCO	25.00	25.00
UPU	3.97	5.97
WHO	25.64	25.54
WIPO	4.19	4.14
WMO	23.46	23.57
IAEA	27.95	27.88

The General Assembly fixes rates of assessment for the members of the United Nations on a triennial basis. Interim rates of assessment for new members are adopted as required. The General Assembly bases its action on the recommendations of its Committee on Contributions.<sup>6/</sup> The assessment rates of the specialized agencies are determined by the agency concerned and are in many cases, but not all, based on the UN scale.

In 1975 the 30th General Assembly on October 30 unanimously adopted a resolution that had been recommended by the Committee on Contributions and approved by the Fifth Committee which set assessment rates for the three states that had been admitted to UN membership in 1974--Bangladesh--.08%; Grenada--.02%; and Guinea-Bissau--.02%. The next triennial scale, for the years 1977-79, is scheduled for adoption by the Assembly in 1976 at its 31st session.

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<sup>6/</sup>A 13-member expert body appointed by the General Assembly for 3-year terms. Richard V. Hennes of the United States was a member during 1975.

UN ADMINISTRATIVE MATTERS

PATTERN OF CONFERENCES

In 1974 the 29th General Assembly had established a 22-member Committee on Conferences 7/ to act for it between sessions on requested departures from the approved calendar of conferences, to make recommendations on improving the pattern of conferences and conference servicing, and to develop for approval by the Assembly an annual calendar of conferences.

The Committee, which is in permanent session, met 37 times between February 25 and September 29, 1975. It concentrated on, and took a number of decisions regarding, proposed departures from the schedule of conferences approved by the Assembly; drew up a proposed calendar for 1976 and a provisional calendar for 1977; reviewed and developed recommendations on policy aspects of the overall pattern of conferences; and considered guidelines for more effective use of the conference servicing capacity of the United Nations. The Committee recommended, inter alia, that the Assembly make the cycle of meetings and conferences coincide with the budgetary financial period by adopting in future years a biennial program of conferences.

The Fifth Committee of the 30th Assembly, at six meetings between December 3 and 8, 1975, considered the report of the Committee on Conferences, together with related reports by the Secretary General, ECOSOC, and the ACABQ. The Fifth Committee recommended to the General Assembly a draft resolution approving both a calendar of conferences and meetings for 1976 and a tentative calendar for 1977, deciding that the cycle of meetings and conferences will henceforth coincide with the biennial budgetary period, and requesting the Committee on Conferences to include in its future reports the administrative and financial information on which its decisions and recommendations were based. On December 15, the Assembly in plenary session, adopted the resolution without objection.

In 1974 Austria had offered to provide additional space in the Donaupark project, which would become available in 1978, for UN conferences and units of the UN Secretariat. The 29th Assembly had welcomed the Austrian offer and requested the Secretary General to look into the financial and administrative implications. At the 30th Assembly, the Fifth Committee, which had

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7/Algeria, Austria, Bangladesh, Belgium, Canada, Colombia, Costa Rica, Egypt, France, India, Kenya, Mongolia, Nigeria, Peru, Philippines, Romania, Trinidad and Tobago, Tunisia, U.S.S.R., United Kingdom, United States, Yugoslavia.



before it the report of the Secretary General and the comments of the ACABQ, considered the question of including Vienna in the pattern of conferences at two meetings in mid-December. Without objection, the Committee recommended to the General Assembly a draft resolution, sponsored by Austria and 21 other states, authorizing the Secretary General to inform the Government of Austria that the United Nations was willing to consider its offer of space (in effect establishing Vienna as a third UN city, along with New York and Geneva), expressing the opinion that no additional office space in New York or Geneva should be acquired until consideration had first been given to the use of available space in Vienna, and requesting the Secretary General to submit to the General Assembly at its 31st session a comprehensive report on the optimum utilization of space in Vienna.

The General Assembly adopted the draft resolution without objection on December 16.

#### PUBLICATIONS AND DOCUMENTATION

At the 29th session of the General Assembly the Fifth Committee had requested the Secretary General to prepare a report on the types of records of proceedings employed by all UN bodies financed under the regular budget, on the authority under which records were issued, and on criteria that would be helpful in evaluating the usefulness of records and the kinds of records most appropriate for each body.

The Secretary General's report was discussed by the Fifth Committee of the 30th Assembly at six meetings between October 31 and November 24, 1975. On the latter day, the Committee, by a vote of 83 (U.S.) to 0, with 3 abstentions, recommended to the General Assembly the adoption of a resolution which endorsed 10 criteria proposed by the Secretary General, as modified by the comments of the ACABQ; requested the Secretary General to apply the criteria on an experimental basis in the biennium 1976-77; invited the Security Council, ECOSOC, and the Trusteeship Council to consider the application of the proposed criteria to their meeting records and to ensure that the meeting records of their subsidiary bodies conformed to the criteria; and requested the Committee on Conferences to monitor and report on the application of the criteria.

The criteria were designed to provide better control over meeting records, and as a result to reduce their volume and cost and the administrative burden of producing them.

The General Assembly on December 8 adopted the resolution by a vote of 92 (U.S.) in favor, with no votes against and no abstentions.

#### INTERNATIONAL CIVIL SERVICE COMMISSION

Established by the 29th General Assembly, the ICSC held its first, organizational, session at UN headquarters in New York, May 19-30, 1975. The 15-member body, including a full-time chairman and vice chairman, replaces the former International Civil Service Advisory Board. Raúl Quijano (Argentina) was appointed chairman and A. L. Adu (Ghana) vice chairman. Robert E. Hampton, Chairman of the U.S. Civil Service Commission, is a member of the ICSC.

The Commission, which will meet twice a year, has as its mandate "the regulation and coordination of the conditions of service of the United Nations common system." Its second session, August 11-29, in Geneva, was largely concerned with the problems involved in reviewing the UN salary system, a task that the 29th General Assembly had requested it to undertake as a matter of priority. At this session the Commission also prepared its first annual report to the General Assembly, in which it commented on its task and on the UN salary system, expressed its intention of making the fullest possible report on the salary system to the 31st Assembly, and made recommendations on a few specific problems that had been referred to it.

The Fifth Committee of the 30th General Assembly considered the ICSC report at four meetings between November 20 and December 2, on the latter day approving without objection a resolution noting with appreciation the ICSC report and requesting that final recommendations on the UN salary system be submitted to the 31st session of the Assembly. The General Assembly in plenary session adopted the resolution without objection on December 8.

#### PERSONNEL QUESTIONS

The Fifth Committee of the 30th General Assembly considered personnel questions at nine meetings between November 18 and December 9, recommending two resolutions which were subsequently adopted by the General Assembly.

The first resolution, regarding the employment of women in the UN Secretariat, was approved by the Committee on December 1 by a vote of 83 (U.S.) to 0, with 2 abstentions, and adopted by the plenary Assembly on December 8 by a vote of 101 (U.S.) to none. Noting the limited progress made in the recruitment and promotion of women in the senior and policy-making positions and



the declining percentage of women professionals in the Secretariat, the resolution (1) urged member states to intensify their efforts to recommend qualified women for professional posts in the Secretariat; (2) requested the Secretary General to make every effort during the 1976-77 and 1978-79 biennia to fill a number of posts subject to geographical distribution, equivalent to 5% of the midpoint of the desirable range of each region, with qualified women, priority being given to those from unrepresented or under-represented countries; (3) requested the Secretary General to intensify recruitment missions in order to increase the number of women candidates for professional posts; and (4) recommended that the Secretary General pay special attention in the Staff Development Program to training which would assist women, particularly from developing countries, to increase their career opportunities.

The second resolution, concerning the composition of the Secretariat, had two parts. Part A, which was based, in the U.S. view, on the faulty premise that nationals from developing countries are inadequately represented in senior Secretariat posts, requested the Secretary General to correct this situation and to report on the results of his efforts to the next General Assembly. It was approved by the Committee on December 2 by a vote of 61 to 14 (U.S.), with 15 abstentions, and adopted by the plenary Assembly on December 8 by a vote of 80 to 13 (U.S.), with 10 abstentions. Part B, which was adopted by both Committee and plenary Assembly without objection, requested the Secretary General to take all necessary measures to recruit the staff members subject to geographic distribution from the countries unrepresented and under-represented in the Secretariat, in particular from the developing countries, in accordance with Article 101 (3) of the UN Charter. This is the paragraph emphasizing that the paramount consideration in the employment of staff is the necessity of securing the highest standards of efficiency, competence, and integrity, with due regard being paid to the importance of recruiting the staff on as wide a geographic basis as possible.

#### EMPLOYMENT OF AMERICANS

The total number of professional employees in the United Nations and its specialized agencies rose from 6,611 in 1974 to 6,891 in 1975. The number of U.S. nationals increased numerically from 959 to 995, but declined slightly in terms of percentage of total from 14.50% to 14.44%.

In the UN Secretariat during this period, the number of Americans rose from 465 (19.40%) to 498 (19.46%). In the agencies, the percentage of American

professionals increased in the ILO, IMCO, and WHO; remained the same in the UPU; and declined in FAO, ICAO, ITU, UNESCO, WMO, and IAEA. For the most part, the changes were minimal, representing the gain or loss of less than a percentage point.

The total number of UNDP-financed experts employed by the United Nations and its specialized agencies increased from 5,161 at the end of 1974 to 5,346 at the end of 1975, while the number of American experts increased from 484 (9.38%) to 501 (9.37%).

With respect to senior posts, Rudolph A. Peterson was replaced as Administrator of UNDP by another American, F. Bradford Morse, who was, in turn, replaced as Under Secretary General for Political and General Assembly Affairs by another American, William B. Buffum.



U.S. CONTRIBUTIONS TO THE UN SYSTEM 1/  
(Thousands of dollars)

	1974			1975		
	Total contri- butions from all states	Contribution	Percent	Total contri- butions from all states	Contribution	Percent
A. Regular budgets <u>2/</u> (assessed)						
UN	264,322	<u>3/</u> 63,472	25.00	325,075	<u>4/</u> 81,269	25.00
FAO	62,650	13,531	25.00	62,650	13,571	25.00
IMCO	2,894	152	5.27	3,002	143	4.76
IAEA	23,137	<u>5/</u> 7,779	31.91	26,660	7,429	27.95
ICAO	9,778	2,811	28.75	13,187	3,356	25.00
Joint Financing Program	5,892	2,231	37.87	6,433	2,428	37.75
ILO	45,135	11,284	25.00	45,135	11,284	25.00
ITU	13,210	1,511	11.44	16,355	1,181	7.22
UNESCO	61,720	18,543	29.41	77,890	<u>6/</u> 19,489	25.00

	1974			1975		
	Total contri- butions from all states	Contribution	Percent	Total contri- butions from all states	Contribution	Percent
UPU	4,177	168	4.02	4,222	168	3.97
WHO	117,865	7/31,729	29.18	129,665	8/30,149	25.64
WIPO	1,186	53	4.49	1,831	105	5.72
WMO	6,954	1,571	23.47	7,175	1,683	23.46
Subtotal	618,920	154,835	26.10	719,280	172,255	24.66
<u>B. UN Peacekeeping Operations</u>						
UNEF/UNDOF (assessed)	79,834	23,067	28.89	85,052	24,571	28.89
UNEF/UNDOF (voluntary)	2,020	500	24.75	---	---	---
UNFICYP (voluntary)	15,500	4,800	30.97	24,000	9,600	40.00
Subtotal	97,354	28,367	29.14	109,052	34,171	31.33



1974

1975

	Total contri- butions from all states	Contribution	Percent	Total contri- butions from all states	Contribution	Percent
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C. Voluntary Programs  
(Continuing)

IAEA Operational  
Program

6,313 2,000 31.68 9,430 2,500 26.51

UNICEF

58,000 15,000 25.86 70,100 17,000 24.25

UNDP

352,585 70,784 20.08 414,346 77,897 18.80

UNEP

20,874 8,200 39.28 11,852 3,200 27.00

UN/FAO World Food  
Program

178,281 68,000 38.14 297,870 70,000 23.50

UN Fund for Drug  
Abuse Control

3,428 2,000 58.34 7,143 5,000 70.00

UN Fund for Population  
Activities

54,069 20,000 36.99 63,136 20,000 31.68

UNHCR

7,522 1,100 14.62 14,422 1,471 10.20

UN Fund for Develop-  
ment Planning and  
Projections

2,500 750 30.00 ---- ----

	1974		1975			
	Total contri- butions from all states	Contribution	Percent	Total contri- butions from all states	Contribution	Percent
UN Educational and Training Programs for Southern Africans	---	---	---	1,335	50	3.75
UN Fund for Namibia	169	50	29.51	---	---	---
UN Disaster Relief Office	---	---	---	1,400	750	53.60
UNRWA	85,347	29,400	34.45	102,369	42,055	41.08
UNITAR	1,672	400	23.93	1,502	400	26.64



	1974			1975		
	Total contri- butions from all states	Contribution	Percent	Total contri- butions from all states	Contribution	Percent
D. Special Humanitarian Programs <u>10/</u>						
UNHCR						
South Asia Exchange of Persons	2,857	2,400	84.00	---	---	---
Guinea-Bissau Re- settlement Program	---	---	---	2,900	1,000	34.50
Indochinese Refugee Program in Thailand	---	---	---	---	5,800	---
Cyprus Humanitarian Assistance	22,000	7,300	33.18	29,041	13,500	46.49
Chile Refugee Relief Program	2,556	1,000	39.12	---	400	---
Vietnam & Laos Dis- placed Persons Program	6,345	1,000	15.76	---	---	---
UN/FAO Sahelian Trust Fund	8,009	2,600	32.46	12,070	1,533	12.70
Subtotal	41,767	14,300	34.24	44,011	22,233	36.43
GRAND TOTAL	1,565,164	420,247	26.85	1,891,023	471,982	24.96

- 1/ Data for calendar year 1975 is preliminary as of June 1976. Data on contributions to the regular budgets of the United Nations, the specialized agencies, and UNEF represent amounts assessed by the appropriate bodies. Data on voluntary contributions to UNFICYP, UNEF, other voluntary programs, and special humanitarian programs represent commitments by governments which may include the value of commodities and services as well as cash.
- 2/ Total contributions represent gross assessments on all members, but U.S. assessments are net after adjustments. U.S. percentages are computed on gross assessments.
- 3/ Includes cash payment of \$59,555 thousand and an offset of \$3,917 thousand, representing interest and principal due the United States on UN bonds.
- 4/ Includes cash payment of \$77,334 thousand and an offset of \$3,934 thousand, representing interest and principal due the United States on UN bonds.
- 5/ Includes \$397,567 for payment of calendar year 1973 supplemental assessment.
- 6/ Represents U.S. assessment. However, no funds were requested because of the language of P.L. 93-559 which prohibits UNESCO funding.
- 7/ Represents U.S. assessment. The amount of \$4,926,758, which represents the difference between calculating the U.S. assessment at 25% and 29.18%, has not been appropriated because of the legislative ceiling of 25% on U.S. contributions to the UN and affiliated agencies.



- 8/ Represents U.S. assessment. The amount of \$829,855, which represents the difference between calculating the U.S. assessment at 25% and 25.64%, has not been appropriated because of the legislative ceiling of 25% on U.S. contributions to the UN and affiliated agencies.
- 9/ In U.S.-owned Egyptian currency.
- 10/ Data represents commitments by governments to UN agencies for emergency programs. Some of the resources committed to the UN/FAO World Food Program have also been utilized to meet emergency needs.





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## APPENDIXES

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APPENDIX I: ADDRESSES BY SECRETARY OF STATE KISSINGER BEFORE  
THE SEVENTH SPECIAL SESSION AND THE 30TH REGULAR  
SESSION OF THE UN GENERAL ASSEMBLY

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## Global Consensus and Economic Development

### *Text of Address by Secretary Kissinger<sup>1</sup>*

We assemble here this week with an opportunity to improve the condition of mankind. We can let this opportunity slip away, or we can respond to it with vision and common sense.

The United States has made its choice. There are no panaceas available—only challenges. The proposals that I shall announce today on behalf of President Ford are a program of practical steps responding to the expressed concerns of developing countries. We have made a major effort to develop an agenda for effective international action; we are prepared in turn to consider the proposals of others. But the United States is committed to a constructive effort.

For some time the technical capacity has existed to provide a tolerable standard of life for the world's 4 billion people. But we, the world community, must shape the political will to do so. For man stands not simply at a plateau of technical ability; he stands at a point of moral choice. When the ancient dream of mankind—a world without poverty—becomes a possibility, our profound moral convictions make it also our duty. And the convening of this special session bears witness that economic progress has become a central and urgent concern of international relations.

The global order of colonial power that lasted through centuries has now disappeared; the cold war division of the world into two rigid blocs has now also broken down, and major changes have taken place in the international economy. We now live in a world of some 150 nations. We live in an environment of continuing conflicts, proliferating weapons, new ideological divisions and economic rivalry. The developing nations have stated their claim for a greater role, for more control over their economic destiny, and for a just share in global prosperity. The economically advanced nations have stated their claim for reliable supplies of energy, raw materials, and other products at a fair price; they seek stable economic relationships and expanding world trade, for

these are important to the well-being of their own societies.

These economic issues have already become the subject of mounting confrontation—embargoes, cartels, seizures, countermeasures—and bitter rhetoric. Over the remainder of this century, should this trend continue, the division of the planet between North and South, between rich and poor, could become as grim as the darkest days of the cold war. We would enter an age of festering resentment, increased resort to economic warfare, a hardening of new blocs, the undermining of cooperation, the erosion of international institutions—and failed development.

Can we reconcile our competing goals? Can we build a better world, by conscious purpose, out of the equality and cooperation of states? Can we turn the energies of all nations to the tasks of human progress? These are the challenges of our time.

We profoundly believe that neither the poor nor the rich nations can achieve their purposes in isolation. Neither can extort them from the other—the developing countries least of all, for they would pay the greater cost of division of the planet, which would cut them off needlessly from sources of capital and markets essential to their own progress.

The reality is that ample incentives exist for cooperation on the basis of mutual respect. It is not necessarily the case that if some grow worse off, others will be worse off. But there is an opposite proposition, which we believe is true: that an economic system thrives if all who take part in it thrive. This is no theory; it is our own experience. And it is an experience that we, a people uniquely drawn from all the other peoples of the world, truly desire and hope to share with others.

Therefore it is time to go beyond the doctrines left over from a previous century that are made obsolete by modern reality.

History has left us the legacy of strident nationalism—discredited in this century by its brutal excesses a generation ago and by its patent inadequacy for the economic needs of our time. The economy is global. Reces-

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<sup>1</sup> Read before the seventh special session of the U.N. General Assembly on Sept. 1 by Daniel P. Moynihan, U.S. Representative to the United Nations.



sions, inflation, trade relations, monetary stability, gluts and scarcities of products and materials, the growth of transnational enterprises—these are international phenomena and call for international responses.

History has also left us discredited doctrines of economic determinism and struggle. One of the ironies of our time is that systems based on the doctrine of materialism that promised economic justice have lagged in raising economic welfare.

And contrary to the ideologies of despair, many developing countries have been increasing their per capita incomes at far faster rates than obtained historically in Europe and North America in comparable stages of their growth.

It is also ironic that a philosophy of non-alignment, designed to allow new nations to make their national choices free from the pressure of competing blocs, now has produced a bloc of its own. Nations with radically different economic interests and with entirely different political concerns are combined in a kind of solidarity that often clearly sacrifices practical interests. And it is ironic also that the most devastating blow to economic development in this decade came not from "imperialist rapacity" but from an arbitrary, monopolistic price increase by the cartel of oil exporters.

The reality is that the world economy is a single global system of trade and monetary relations on which hinges the development of all our economies. The advanced nations have an interest in the growth of markets and production in the developing world; with equal conviction we state that the developing countries have a stake in the markets, technological innovation, and capital investment of the industrial countries.

Therefore the nations assembled here have a choice: We can offer our people slogans, or we can offer them solutions. We can deal in rhetoric, or we can deal in reality. My government has made its choice.

The United States firmly believes that the economic challenges of our time must unite us, and not divide us.

So let us get down to business. Let us put aside the sterile debate over whether a new economic order is required or whether the old economic order is adequate. Let us look forward and shape the world before us. Change is inherent in what we do and what we seek. But one fact does not change: that without a consensus on the realities and principles of the development effort, we will achieve nothing.

—There must be consensus, first and foremost, on the principle that our common development goals can be achieved only by cooperation, not by the politics of confrontation.

—There must be consensus that acknowl-

edges our respective concerns and our mutual responsibilities. All of us have rights, and all of us have duties.

—The consensus must embrace the broadest possible participation in international decisions. The developing countries must have a role and voice in the international system, especially in decisions that affect them. But those nations who are asked to provide resources and effort to carry out the decisions must be accorded a commensurate voice.

We have learned from experience that the methods of development assistance of the 1950's and 60's are no longer adequate. Not only did the technical accomplishments of many programs fall short of expectations; the traditional approaches are less acceptable to the industrialized world because they have seemed to become an endless and one-sided financial burden. And they are less acceptable to the developing world because they have seemed to create a relationship of charity and dependency, inconsistent with equality and self-respect.

Therefore we must find new means. The United States offers today concrete proposals for international actions to promote economic development. We believe that an effective development strategy should concentrate on five fundamental areas:

—First, we must apply international cooperation to the problem of insuring basic economic security. The United States proposes steps to safeguard against the economic shocks to which developing countries are particularly vulnerable: sharp declines in their export earnings from the cycle of world supply and demand, food shortages, and natural disasters.

—Second, we must lay the foundations for accelerated growth. The United States proposes steps to improve developing countries' access to capital markets, to focus and adapt new technology to specific development needs, and to reach consensus on the conditions for foreign investment.

—Third, we must improve the basic opportunities of the developing countries in the world trading system so they can make their way by earnings instead of aid.

—Fourth, we must improve the conditions of trade and investment in key commodities on which the economies of many developing countries are dependent, and we must set an example in improving the production and availability of food.

—Fifth, let us address the special needs of the poorest countries, who are the most devastated by current economic conditions, sharing the responsibility among old and newly wealthy donors.

The determination of the developing nations to mobilize their own effort is indispensable. Without it, no outside effort will have effect. Government policies to call forth sav-



ings, to institute land reform, to use external aid and capital productively, to manage and allocate national resources wisely, to promote family planning—for these there are no substitutes.

But there must be international as well as national commitment. The United States is prepared to do its part. The senior economic officials of our government have joined with me in developing our approach. Treasury Secretary Simon, with whom I have worked closely on our program, will discuss it tomorrow in relation to the world economy. The large congressional delegation that will attend the session, and the seriousness with which they and the executive branch have collaborated in preparing these proposals, are evidence of my country's commitment.

We ask in return for a serious international dialogue on the responsibilities which confront us all.

#### **Insuring Economic Security**

Our first task is to insure basic economic security.

The swings and shocks of economic adversity are a global concern tearing at the fabric of developed and developing nations alike. The cycle of good times and bad, abundance and famine, does vast damage to lives and economies. Unemployment, falling standards of living, and the ravages of inflation fuel social and political discontent. We have recently seen the corrosive effects in many countries.

Developing economies are by far the most vulnerable to natural and manmade disasters—the vagaries of weather and of the business cycle. Sharp increases in the prices of oil and food have a devastating effect on their livelihood. Recessions in the industrial countries depress their export earnings.

Thus economic security is the minimum requirement of an effective strategy for development. Without this foundation, sound development programs cannot proceed and the great efforts that development requires from poor and rich alike cannot be sustained.

And because economic security is a global problem, it is a global challenge:

—The industrial nations must work together more effectively to restore and maintain their noninflationary expansion;

—Nations which supply vital products must avoid actions which disrupt that expansion; and

—The international community must undertake a new approach to reduce drastic fluctuations in the export earnings of the developing countries.

Since the economic health of the industrial countries is central to the health of the global economy, their efforts to avoid the extremes

of recession and inflation become an international, as well as a national, responsibility.

In a new departure this past year, the leaders of the United States and its major trading partners have begun closer coordination of their national economic policies. A shared sense of urgency, and the exchange of information about trends and intentions, have already influenced important policy decisions. President Ford intends to continue and intensify consultations of this kind. The successful recovery of the industrial economies will be the engine of international stability and growth.

Global economic security depends, secondly, on the actions of suppliers of vital products.

Thus the United States has believed that the future of the world economy requires discussions on energy and other key issues among oil consuming and producing nations. The Government of France is inviting industrialized, oil-producing, and developing nations to relaunch a dialogue this fall on the problems of energy, development, raw materials, and related financial issues. The United States has supported this proposal and worked hard to establish the basis for successful meetings.

But this dialogue is based on an approach of negotiation and consensus, not the exercise of brute economic power to gain unilateral advantage. The enormous, arbitrary increases in the price of oil of 1973 and 1974 have already exacerbated both inflation and recession worldwide. They have shattered the economic planning and progress of many countries. Another increase would slow down or reverse the recovery and the development of nearly every nation represented in this Assembly. It would erode both the will and the capacity in the industrial world for assistance to developing countries. It would, in short, strike a serious blow at the hopes of hundreds of millions around the world.

The forthcoming dialogue among consumers and producers is a test. For its part, the United States is prepared for cooperation. We will work to make it succeed, in our own self-interest and in the interest of all nations. We hope to be met in that same spirit.

The third basic factor in economic security is the stability of export earnings. The development programs—indeed, the basic survival—of many countries rest heavily on earnings from exports of primary products which are highly vulnerable to fluctuations in worldwide demand. Countries which depend on one product can find their revenues reduced drastically if its price drops or if exports fall precipitously. Most have insufficient reserves to cushion against sharp declines in earnings, and they cannot quickly increase the exports of other products. Facing such



economic problems, most cannot borrow to offset the loss or can only do so at extremely high interest rates. In such situations countries are frequently forced to cut back on the imports on which their growth and survival depend. Thus the unpredictability of export earnings can make a mockery of development planning.

The question of stabilization of income from primary products has become central in the dialogue on international economic concerns. Price stabilization is not generally a promising approach. For many commodities it would be difficult to achieve without severe restrictions on production or exports, extremely expensive buffer stocks, or price levels which could stimulate substitutes and thereby work to the long-range disadvantage of producers. Even the most ambitious agenda for addressing individual commodities would not result in stabilization arrangements for all of them in the near term. And focusing exclusively on stabilizing commodity prices would not provide sufficient protection to the many developing countries whose earnings also depend on the exports of manufactured goods.

The U.S. Government has recently completed a review of these issues. We have concluded that, because of the wide diversity among countries, commodities, and markets, a new, much more comprehensive approach is required—one which will be helpful to exporters of all commodities and manufactured goods as well.

Let me set forth our proposal. The United States proposes creation in the International Monetary Fund (IMF) of a new development security facility to stabilize overall export earnings.

—The facility would give loans to sustain development programs in the face of export fluctuations; up to \$2.5 billion, and possibly more, in a single year and a potential total of \$10 billion in outstanding loans.

—Assistance would be available to all developing countries which need to finance shortfalls in export earnings, unless the shortfalls are caused by their own acts of policy.

—The poorest countries would be permitted to convert their loans into grants under prescribed conditions. These grants would be financed by the proceeds of sales of IMF gold channeled through the proposed \$2 billion Trust Fund now under negotiation.

—Eligible countries could draw most, or under certain conditions all, of their IMF quotas in addition to their normal drawing rights. Much of that could be drawn in a single year, if necessary; part automatically, part subject to balance-of-payments conditions, and part reserved for cases of particularly violent swings in commodity earnings.

—Shortfalls would be calculated according to a formula geared to future growth as well as current and past exports. In this way the facility helps countries protect their development plans.

—This facility would replace the IMF's compensatory finance facility; it would not be available for industrial countries.

The United States will present its detailed proposals to the Executive Directors of the International Monetary Fund this month.

This development security facility would provide unprecedented protection against disruptions caused by reductions in earnings—both for countries whose exports consist of a few commodities and for those with diversified and manufactured exports, whose earnings also fluctuate with business cycles. In the great majority of countries, this new facility will cover nearly all the earnings shortfall.

This new source of funds also reinforces our more traditional types of assistance; without the stabilization of earnings, the benefits of concessional aid for developing countries are vitiated. For industrialized countries, it means a more steady export market. For developing countries, it helps assure that development can be pursued without disruption and makes them more desirable prospects in international capital markets. For consumers and producers, rich and poor alike, it buttresses economic security.

Thus the success of our efforts in this area will demonstrate that our interdependence can strengthen the foundations of prosperity for all while promoting progress in the developing countries.

#### **Accelerating Economic Growth**

It is not enough to insure the minimal economic security of the developing countries. Development is a process of growth, acceleration, greater productivity, higher living standards, and social change. This is a process requiring the infusion of capital, technology, and managerial skills on a massive scale.

Developing countries themselves will have to provide most of the effort, but international support is indispensable. Even a moderate acceleration of recent growth rates will require some \$40 billion a year in outside capital by 1980. The requirement for technological innovation, though impossible to quantify, is similarly great.

How can these needs for capital, technology, and skills be met?

Bilateral concessional assistance from the industrialized countries has been one important source. Last year it amounted to some \$7.2 billion. This must continue to grow. But realistically, we cannot expect the level to increase significantly over the coming



years. To put it frankly, the political climate for bilateral aid has deteriorated. In the industrial countries, support for aid has been eroded by domestic economic slowdown, compounded by energy problems; in the developing countries, there is resentment at forms of assistance which imply dependence.

The oil exporters have only begun to meet their responsibility for assistance to the poorer countries. Last year their concessionary aid disbursements were roughly \$2 billion; they could, and must, rise substantially this year.

But the industrial nations and the oil exporters cannot, even together, supply all the new resources needed to accelerate development. It follows inescapably that the remaining needs for capital and technology can only be met, directly or indirectly, from the vast pool of private sources. This investment will take place only if the conditions exist to attract or permit it. The United States therefore believes it is time for the world community to address the basic requirements for accelerating growth in developing countries:

—First, developing countries must have better access to capital markets.

—Second, we must promote the transfer of technology.

—Third, it is time to reach an international consensus on the principles to guide the beneficial operation of transnational enterprises.

#### *Access to Capital Markets*

First, access to capital markets: The private capital markets are already a major source of development funds, either directly or through intermediaries. The World Bank and the regional development banks borrow extensively to lend to developing nations. The United States urges the expansion of these programs. We are gratified that advanced countries outside of the Western Hemisphere are joining us shortly in a \$6 billion expansion of the Inter-American Development Bank. We will participate in negotiations for replenishment of the Asian Development Bank, and we are seeking congressional authority to join the African Development Fund.

But the developing countries that have been most successful and that no longer require concessional aid, especially in Asia and Latin America, have relied heavily on borrowing in the capital markets. Their future access must be assured.

We must now find new ways to enhance the opportunities of developing countries in the competition for capital. And we need to match in new ways potential sources of capital with the investment needs of developing countries.

Several courses of action offer promise.

First, the United States will support a major expansion of the resources of the World Bank's International Finance Corporation, the investment banker with the broadest experience in supporting private enterprise in developing countries. We propose a large increase in the IFC's capital, from the present \$100 million to at least \$400 million.

Second, the United States proposes creation of an International Investment Trust to mobilize portfolio capital for investment in local enterprises. The trust would attract new capital by offering investors a unique opportunity: participation in a managed broad selection of investments in developing country firms, public, private, and mixed. The International Finance Corporation would manage it and perhaps provide seed capital, but most of its funds would come from government and private investors. Investors would have their exposure to major losses limited by a \$200 million loss reserve provided by governments of industrialized, oil-producing, and developing nations. This institution could be a powerful link between the capital markets and the developing world and could provide billions of dollars of essential resources.

Third, the United States will contribute actively to the work of the IMF-World Bank Development Committee to find ways to assist developing countries in their direct borrowing in the capital markets. It is encouraging that the Latin American countries are considering a regional financial safety net to underpin their access to capital markets by mutual commitments of financial backing.

Finally, we believe that all industrial countries should systematically review the conditions for developing-country access to their national markets to assure that they offer fair and open opportunity. The United States is prepared to provide technical assistance and expertise to developing countries ready to enter long-term capital markets, and we ask others to join us.

#### *Transfer of Technology*

Developing countries need not only new funds but also new technology. Yet the mechanisms for the transfer of technology and for its local development are limited and are seldom at the sole command of national governments, and the technologies of industrial countries must often be adapted to local economic and social conditions. New institutions and new approaches are therefore required.

For technology to spur development, it must spur growth in priority areas: energy, food, other resources strategic to the developing economies, and industrialization itself.

First, *energy* is critical for both agricultural and industrial development. The enor-



mous rise in the cost of oil in the last two years has more than wiped out the total of the foreign aid that developing countries have received. It has undermined their balance of payments and has mortgaged their future by forcing them into larger borrowing at higher interest rates. There is no easy short-term solution; but if energy dependence is to be reduced, efforts to exploit new and diversified sources must be intensified now.

The United States invites other nations to join us in an increase of bilateral support for training and technical assistance to help developing countries find and exploit new sources of fossil fuel and other forms of energy.

Methods of discovering and using less accessible or low-grade resources must be fully utilized. So must technology to produce solar and geothermal power. And these techniques must be suited to the conditions of the developing countries.

The United States believes the topic of energy cooperation should be high on the agenda for the forthcoming dialogue between consumers and producers. We will propose, in this dialogue, creation of an International Energy Institute bringing together developed and developing, consumer and producer, on the particular problem of energy development. The International Energy Agency and the International Atomic Energy Agency should both find ways to give technical assistance and support to this institute.

A second critical area for technological innovation is *food production and improvement of nutrition*.

During the past decade, a number of international agricultural research centers have been established to adapt techniques to local needs and conditions. In 1971 the Consultative Group for International Agricultural Research was formed to coordinate these efforts. The United States is prepared to expand the capacity of these institutions. In collaboration with national research organizations with more skilled manpower and funds, they could grow into a worldwide research network for development of agricultural technology.

We are also supporting legislation in the Congress to enable our universities to expand their technical assistance and research in the agricultural field.

*Nonfood agricultural and forestry products* are a third strategic area for technological assistance. The export earnings of many of the poorest countries—and the livelihood of many millions of their people—depend on such products as timber, jute, cotton, and natural rubber, some of which have encountered serious problems in the face of synthetics. They urgently need assistance to improve the productivity and competitive-

ness of these products and to diversify their economies.

The United States therefore proposes creation of an organization to coordinate and finance such assistance. Its task will be to attract manpower and capital for research. The financing of this effort should be a priority task for the new International Fund for Agricultural Development.

But developing countries' need for technology is not only for development of strategic sectors but for the broad *promotion of industrialization* itself. This requires the broadest application of skills, resources, and information.

This is not an easy task. The storehouse of technology is already huge and is growing geometrically. Developing practical devices to transfer technology beyond those which already exist will require careful thought. We are prepared to join with other nations in examining new initiatives.

To this end the United States supports creation of an International Industrialization Institute to sponsor and conduct research on industrial technology together with the governments, industries, and research facilities of developing countries.

We support creation of an international center for the exchange of technological information, as a clearinghouse for the sharing of ongoing research and new findings relevant to development.

We will expand our bilateral support of industrial technology appropriate to developing country needs.

We will work with others in this organization in preparing guidelines for the transfer of technology and in the planning of a conference on science and technology for development.

#### *Transnational Enterprises*

Access to capital markets and special programs to transfer new technology are but two factors of accelerated growth. There is a third—which may well be one of the most effective engines of development—the transnational enterprise.

Transnational enterprises have been powerful instruments of modernization both in the industrial nations—where they conduct most of their operations—and in the developing countries, where there is often no substitute for their ability to marshal capital, management skills, technology, and initiative. Thus the controversy over their role and conduct is itself an obstacle to economic development.

It is time for the world community to deal with the problems, real and perceived, that have arisen. If the nations assembled here cannot reach consensus on the proper role of these enterprises, the developing countries could lose an invaluable asset. Let us



make this issue a test of our capacity to accommodate mutual concerns in practical agreement.

For our part, the United States is prepared to meet the proper concerns of governments in whose territories transnational enterprises operate. We affirm that enterprises must act in full accordance with the sovereignty of host governments and take full account of their public policy. Countries are entitled to regulate the operations of transnational enterprises within their borders. But countries wishing the benefits of these enterprises should foster the conditions that attract and maintain their productive operation.

The United States therefore believes that the time has come for the international community to articulate standards of conduct for both enterprises and governments. The United Nations Commission on Transnational Corporations and other international bodies have begun such an effort. We must reach agreement on balanced principles. These should apply to transnational enterprises in their relations with governments, and to governments in their relations with enterprises and with other governments. They must be fair principles, for failure to reflect the interests of all parties concerned would exacerbate rather than moderate the frictions which have damaged the environment for international investment. Specifically, the United States believes that:

—Transnational enterprises are obliged to obey local law and refrain from unlawful intervention in the domestic affairs of host countries. Their activities should take account of public policy and national development priorities. They should respect local customs. They should employ qualified local personnel, or qualify local people through training.

—Host governments in turn must treat transnational enterprises equitably, without discrimination among them, and in accordance with international law. Host governments should make explicit their development priorities and the standards which transnational enterprises are expected to meet, and maintain them with reasonable consistency.

—Governments and enterprises must both respect the contractual obligations that they freely undertake. Contracts should be negotiated openly, fairly, and with full knowledge of their implications. Greater assurance that contracts will be honored will improve the international commercial environment, increase the flow of investment, and expand economic transactions. Destructive and politically explosive investment disputes, which spoil the climate for large commitments and investment, will occur less frequently.

—Principles established for transnational enterprises should apply equally to domestic enterprises, where relevant. Standards should be addressed not only to privately owned corporations, but also to state-owned and mixed transnational enterprises, which are increasingly important in the world economy.

A statement of principles is not the only or necessarily a sufficient way of resolving many of the problems affecting transnational enterprises. We must develop others:

—Governments must harmonize their tax treatment of these enterprises. Without coordination, host-country and home-country policies may inhibit productive investment.

—Factfinding and arbitral procedures must be promoted as means for settling investment disputes. The World Bank's International Center for the Settlement of Investment Disputes and other third-party facilities should be employed to settle the important disputes which inevitably arise.

—Laws against restrictive business practices must be developed, better coordinated among countries, and enforced. The United States has long been vigilant against such abuses in domestic trade, mergers, or licensing of technology. We stand by the same principles internationally. We condemn restrictive practices in setting prices or restraining supplies, whether by private or state-owned transnational enterprises or by the collusion of national governments.

—Insurance for foreign private investors should to the extent possible be multilateralized and should include financial participation by developing countries to reflect our mutual stake in encouraging foreign investment in the service of development.

—And there must be more effective bilateral consultation among governments to identify and resolve investment disputes before they become irritants in political relations.

The United States believes that just solutions are achievable—and necessary. If the world community is committed to economic development, it cannot afford to treat transnational enterprises as objects of economic warfare. The capacity of the international community to deal with this issue constructively will be an important test of whether the search for solutions or the clash of ideologies will dominate our economic future. The implications for economic development are profound.

#### **Trade and Development**

The third basic area for our attention is trade. Improving the world trading system will magnify our success in every other sphere of the development effort.



Trade has been a driving force in the unprecedented expansion of the world economy over the last 30 years. Comparative advantage and specialization, the exchange of technology and the movement of capital, the spur to productivity that competition provides—these are central elements of efficiency and progress. Open trade promotes growth and combats inflation in all countries.

For developing nations, trade is perhaps the most important engine of development. Increased earnings from exports help pay for both the imports that are essential to expand production and the food for growing populations. These earnings reduce dependence on aid, limit the accumulation of debt, and help finance essential borrowing. Growing export industries can provide jobs and increase the government revenues necessary for development programs. It is no accident, therefore, that the success stories in development of the past three decades have been those very countries that have taken full advantage of the opportunities in world trade.

But today the global trading system is threatened by the most serious recession since the Second World War. We face the danger of proliferating artificial barriers and unfair competition reminiscent of the 1930's, which contributed to economic and political disaster. Every day that economic recovery is delayed, the temptation grows to restrict imports, subsidize exports, and control scarce commodities. Concerted action is necessary now to safeguard and improve the open trading system on which the future well-being of all our countries depends.

The multilateral trade negotiations now taking place in Geneva are central to this effort. They will have a profound impact on the future of the world economy and the prospects for development. If these negotiations fail, all countries risk a slide into an increasingly fragmented, closed world of nationalism, blocs, and mounting frictions. If they succeed, all countries will benefit and there will be major progress toward a cooperative and prosperous world.

Many of the less developed nations are emerging as important commercial powers. But developing countries need assistance to take better advantage of trading opportunities, especially to help them open up new markets. In revising rules to govern trade we must take account of their particular needs. In this connection, regional trading associations can help many small countries by providing the economies of scale which result from larger markets.

Thus success in the negotiations depends critically on promoting the interests of the developing countries. For if they do not help to make the rules, assume part of the re-

sponsibility to maintain a stable trade system, and share in the benefits of trade, the rules will be subject to increasing challenge, the stability of the system undermined, and the benefits for all nations jeopardized.

The United States therefore believes that a major goal of the multilateral trade negotiations should be to make the trading system better serve development goals. Let me briefly outline our policy.

—First, there must be fundamental structural improvement in the relationship of the developing countries to the world trading system. In the earlier stages of their development, they should receive special treatment through a variety of means—such as preferences, favorable concessions, and exceptions which reflect their economic status. But as they progress to a higher level of development, they must gradually accept the same obligations of reciprocity and stable arrangements that other countries undertake. At some point they must be prepared to compete on more equal terms, even as they derive growing benefits.

—Second, we must improve opportunities for the manufacturing sectors of developing countries. These provide the most promising new areas for exports at the critical stage in development, but the tariffs of industrial countries are a substantial obstacle. To ease this problem the United States has agreed to join other industrial countries in instituting generalized tariff preferences to permit developing countries enhanced access to the markets of industrialized nations.

I am pleased to announce today that the U.S. program will be put into effect on January 1, 1976. And before that date, we will begin consultations and practical assistance to enable exporting countries to benefit from the new trade opportunities in the American market, the largest single market for the manufactured goods of developing countries.

—Third, in keeping with the Tokyo Declaration, we should adapt rules of nontariff barriers to the particular situation of developing countries. In setting international standards for government procurement practices, for example, the United States will negotiate special consideration for the developing countries. We will also negotiate on the basis that under prescribed conditions, certain subsidies may be permitted without triggering countervailing duties for a period geared to achieving particular development objectives.

—Fourth, we will work for early agreement on tariffs for tropical products, which are a major source of earnings for the developing world. Moreover, the United States will implement its tariff cuts on these prod-



ucts as soon as possible.

—Finally, we are ready to join with other participants in Geneva to negotiate changes in the system of protection in the industrialized countries that favors the import of raw materials over other goods. Many countries impose low or no duties on raw materials and high duties on manufactured or processed goods; the tariff protection increases or “escalates” with the degree of processing. Nothing could be better calculated to discourage and limit the growth of processing industries in developing countries. The United States will give high priority in the Geneva negotiations to reducing these barriers.

The developing countries have obligations in return. The world needs a system in which no nation, developed or developing, arbitrarily withholds or interferes with normal exports of materials. This practice—by depriving other countries of needed goods—can trigger unemployment, cut production, and fuel inflation. It is therefore as disruptive as any of the other trade barriers I have discussed. We urge negotiations on rules to limit and govern the use of export restraints, a logical extension of existing rules on imports. The United States will join others in negotiating supply-access commitments as part of the reciprocal exchange of concessions.

But commodities can be addressed only in part in the context of the trade negotiations. For some serious commodity problems, special arrangements and different institutional structures are required. Let me now turn to that subject.

### **Commodity Trade and Production**

Exports of primary products—raw materials and other commodities—are crucial to the incomes of developing countries. These earnings can lift living standards above bare subsistence, generate profits to support the first steps of industrialization, and provide tax revenues for education, health, and other social programs for development. The history of the United States—and many other countries—confirms the importance of commodities.

But this path can be precarious in an uncertain global environment. Those developing countries which are not oil exporters rely on primary commodities for nearly two-thirds of their export earnings. Yet their sales of raw materials and agricultural products have not grown as fast as those of industrial countries. Agricultural commodities, particularly, are vulnerable to the whims of weather and swings of worldwide demand. The market in minerals is especially sensitive to the pendulum of boom-and-bust in the industrial countries. The result is a

cycle of scarcity and glut, of underinvestment and overcapacity.

Developing countries are hit hard by commodity cycles also as consumers; higher prices for energy imports, swings in the price and supply of food, and greater costs for other essential raw materials have been devastating blows, soaking up aid funds and the earnings by which they hoped to finance imports. All this can make a mockery of development plans.

But the problems of commodities are not the problems only of developing countries. The industrialized countries are in fact the largest exporters of food and most minerals. Gyration prices complicate economic decisions in industrial countries. And consumers in industrial countries have painfully learned that high commodity prices leave their inflationary impact long after the commodity market has turned around.

Therefore both industrial and developing countries would benefit from more stable conditions of trade and an expansion of productive capacity in commodities.

Many solutions have been put forward to benefit producers of particular products: cartelization, price indexing, commodity agreements, and other methods. But reality demonstrates the interdependence of all our economies and therefore the necessity for approaches that serve global rather than narrow interests.

### *Food Security*

The most vital commodity in the world is food. The United States is its largest producer and exporter. We recognize our responsibility. We have also sought to make international collaboration in food a model for realistic and cooperative approaches to other international economic issues.

The U.S. policy is now one of maximum production. At home, we want a thriving farm economy and moderate prices for consumers. Internationally, we wish cooperative relations with nations that purchase from us, an open and growing market, and abundant supplies to meet the needs of the hungry through both good times and bad.

For hundreds of millions of people, food security is the single most critical need in their lives; for many it is a question of life itself. But food security means more than emergency relief to deal with crop failures, natural disasters, and pockets of famine. It means reasonable stability in the availability of food in commercial markets so that harvest failures in some parts of the world will not make food impossibly expensive elsewhere. We have seen with dramatic frequency in recent years how the international food market, strained to capacity, can shake the international economy. Its fluctuations



have accelerated inflation, devastated development plans, and wreaked havoc with human lives. Yet in good times, the world community has not summoned the will to take obvious corrective steps to stabilize the market structure.

The United States believes that a global approach to food security, which contains elements that can apply to other commodities, should follow these basic principles:

—The problem must be approached globally, comprehensively, and cooperatively, by consultation and negotiation among all significant producers and consumers;

—Producers should recognize the global interest in stability of supply, and consumers should recognize the interest of producers in stability of markets and earnings;

—Special consideration should be given to the needs of developing countries; and

—Where volatile demand is combined with limited ability to make short-term increases in production, buffer stocks may be the best approach to achieving greater security for both consumers and producers.

At the World Food Conference last November, which was convened at our initiative, the United States proposed a comprehensive international cooperative approach to providing food security. We proposed an international system of nationally held grain reserves, to meet emergencies and improve the market. The United States has since then offered specific proposals and begun negotiations. But the international effort lagged when improved harvests seemed to diminish the immediate danger of worldwide shortage.

My government today declares that it is time to create this reserve system. If we do not, future crises are inevitable. Specifically, we propose:

—To meet virtually all potential shortfalls in food grains production, total world reserves must reach at least 30 million tons of wheat and rice. We should consider whether a similar reserve is needed in coarse grains.

—Responsibility for holding reserves should be allocated fairly, taking into account wealth, production, and trade. The United States is prepared to hold a major share.

—Acquisition and release of reserves should be governed by quantitative standards such as anticipated surpluses and shortfalls in production.

—Full participants in the system should receive assured access to supplies. Among major producers, full participation should require complete exchange of information and forecasts.

—Special assistance should be extended to developing countries that participate, to enable them to meet their obligation to hold a portion of global reserves.

The United States is ready to negotiate the creation of such a system. Let us move ahead rapidly.

#### *Other Primary Commodities*

And let us apply the same approach of cooperation to other primary commodities that are similarly beset by swings of price and supply—and that are similarly essential to the global economy.

There is no simple formula that will apply equally to all commodities. The United States therefore proposes to discuss new arrangements in individual commodities on a case-by-case basis.

Buffer stocks can be an effective technique to moderate instability in supplies and earnings. On the other hand, price-fixing arrangements distort the market, restrict production, and waste resources for everyone. It is developing countries that can least afford this waste. Restricted production idles the costly equipment and economic infrastructure that takes years to build. Artificially high prices lead consumers to make costly investment in domestic substitutes, ultimately eroding the market power of the traditional producers.

Accordingly, the United States proposes the following approach to commodity arrangements:

—We recommend that a consumer-producer forum be established for every key commodity to discuss how to promote the efficiency, growth, and stability of its market. This is particularly important in the case of grains, as I have outlined. It is also important in copper, where priority should be given to creating a forum for consumer-producer consultation.

—The first new formal international agreement being concluded is on tin. We have participated actively in its negotiation. President Ford has authorized me to announce that the United States intends to sign the tin agreement, subject to congressional consultations and ratification. We welcome its emphasis on buffer stocks, its avoidance of direct price fixing, and its balanced voting system. We will retain our right to sell from our strategic stockpiles, and we recognize the right of others to maintain a similar program.

—We are participating actively in negotiations on coffee. We hope they will result in a satisfactory new agreement that reduces the large fluctuations in prices and supplies entering the market.

—We will also join in the forthcoming cocoa and sugar negotiations. Their objective will be to reduce the risks of investment and moderate the swings in prices and supplies.

—We will support liberalization of the International Monetary Fund's financing of buffer stocks, to assure that this facility is



available without reducing other drawing rights.

#### *Comprehensive Program of Investment*

I have already announced my government's broad proposal of a development security facility, a more fundamental approach to stabilizing the overall earnings of countries dependent on commodities trade. My government also believes that an effective approach to the commodities problem requires a comprehensive program of investment to expand worldwide capacity in minerals and other critical raw materials. This is basic to the health of both industrial and developing economies.

There are presently no shortages in most basic raw materials, nor are any likely in the next two or three years. But the adequacy of supplies in years to come will be determined by investment decisions taken now. Because the technology for processing lower grade ores is extremely complex and the financing requirements for major raw material investments are massive, new projects take several years to complete. In some countries the traditional source of funds—private foreign investment—is no longer as welcome, nor are investors as interested, as in the past.

The United States therefore proposes a major new international effort to expand raw material resources in developing countries.

The World Bank and its affiliates, in concert with private sources, should play a fundamental role. They can supply limited amounts of capital directly; more importantly, they can use their technical, managerial, and financial expertise to bring together funds from private and public sources. They can act as intermediary between private investors and host governments and link private and public effort by providing cross-guarantees on performance. World Bank loans could fund government projects, particularly for needed infrastructure, while the International Finance Corporation could join private enterprise in providing loans and equity capital. The World Bank Group should aim to mobilize \$2 billion in private and public capital annually.

In addition, the United States will contribute to and actively support the new United Nations revolving fund for natural resources. This fund will encourage the worldwide exploration and exploitation of minerals and thus promote one of the most promising endeavors of economic development.

#### *The Poorest Nations*

Any strategy for development must devote special attention to the needs of the poorest countries. The fate of 1 billion people—half the developing world and a quarter of man-

kind—will be affected by what we do or fail to do.

For the last four years, per capita income in the poorest countries—already below minimal standards for development—has declined. Their exports are most concentrated in the least dynamic sectors of world demand. It is they who have been most cruelly affected by the rise in the costs of oil, food, and other essential imports.

Whatever adversity the rest of mankind endures, it is these peoples who endure the most. Whatever problems we have, theirs are monumental. Whatever economic consequences flow from the decisions that we all make, the consequences are greatest for them. If global progress in economic development falters, they will be submerged.

This challenge transcends ideology and bloc politics. No international order can be considered just unless one of its fundamental principles is cooperation to raise the poorest of the world to a decent standard of life.

This challenge has two dimensions. We must look to elemental economic security and the immediate relief of suffering. And we must give preference to these countries' needs for future economic growth.

#### *Elemental Economic Security*

First, security means balance-of-payments support for the poorest countries during periods of adversity. For them global recessions and wide swings in prices of key commodities have a particularly disastrous impact. Yet these countries have very little access to short- and medium-term capital to help them weather bad times. The little finance to which they have access often involves interest rates that are too high considering their chronic debt-repayment problems.

To provide greater balance-of-payments support at more acceptable rates of interest for the poor nations, the United States last November proposed a Trust Fund in the International Monetary Fund of up to \$2 billion for emergency relief. Although this proposal met with wide support, it has been stalled by a dispute over an unrelated issue: the role of gold in the international monetary system. We cannot let this delay continue. The United States is making a determined effort to move forward the monetary negotiations at the IMF meetings now underway. If others meet us in this same spirit, we could reach a consensus on the Trust Fund by the next meeting in January.

Second, security requires stable export earnings. The new approach that we are proposing today for earnings stabilization can provide major new economic insurance in the form of loans and grants for the poorest countries.



Third, security means having enough to eat. There must be determined international cooperation on food.

The World Food Conference set a target of 10 million tons of food aid annually. This fiscal year the U.S. food aid budget provides for almost 6 million tons of food grains—60 percent of the world target, and a 20 percent increase over last year. Other producers must also provide their share.

Another priority in the poorest countries must be to reduce the tragic waste of losses after harvest from inadequate storage, transport, and pest control. There are often simple and inexpensive techniques to resolve these problems. Investment in such areas as better storage and pesticides could have a rapid and substantial impact on the world's food supply; indeed, the saving could match the total of all the food aid being given around the world. Therefore we urge that the Food and Agriculture Organization, in conjunction with the U.N. Development Program and the World Bank, set a goal of cutting in half these postharvest losses by 1985, and develop a comprehensive program to this end.

Finally, security means good health and easing the strains of population growth. Disease ravages the poorest countries most of all and exacts a devastating economic as well as human cost. At the same time we face the stark reality that there will be twice as many people to feed by the end of this century as there are today. One of the most promising approaches to these problems is the integrated delivery of basic health services at the community level, combining medical treatment, family planning, and nutritional information and using locally trained paramedical personnel. The United States will support a major expansion of the efforts already underway, including those in cooperation with the World Health Organization, to develop and apply these methods. We strongly urge the help of all concerned nations.

#### *Future Economic Growth*

Programs to achieve minimum economic security, however essential, solve only part of the problem. We must help the poorest nations break out of their present stagnation and move toward economic growth.

This means, first of all, that they should have preferential access to official, concessional financial aid. They have the least dynamic exports, but they lack the capital to develop new ones. They have the direst need for financing, but they have no access to capital markets and little ability to carry greater debt.

If these countries themselves can summon the effort required, outside assistance can be productive. All nations with the financial

capacity must share the responsibility. We will do our part. More than 70 percent of our development assistance goes to low-income countries. More than 60 percent of this year's proposed programs is devoted to food and nutrition, which are of particular importance to the poorest.

The special financial needs of the poorest countries can be met particularly well by expanded low-interest loans of the international financial institutions. The International Development Association of the World Bank Group is a principal instrument whose great potential has not been fully realized. After congressional consultations, the United States will join others in a substantial fifth replenishment of the resources of the International Development Association, provided that the oil-exporting countries also make a significant contribution.

An effective strategy for sustained growth in the poorest countries must expand their agricultural production, for external food aid cannot possibly fill their needs. The current gap between what the developing countries need and what they can produce themselves is 15 million tons; at present rates of growth, the gap is expected to double or triple within the next decade. Failure to meet this challenge will doom much of the world to hunger and malnutrition and all of the world to periodic shortages and higher prices.

Traditional bilateral aid programs to boost agricultural production remain indispensable. President Ford is asking Congress for authorization to double our bilateral agricultural assistance this year to \$582 million. We urge the other affluent nations to increase their contributions as well.

Clearly a massive program of international cooperation is also required. More research is needed to improve agricultural yields, make more efficient use of fertilizer, and find better farm management techniques. Technical assistance and information exchange are needed for training and for technological advance. Better systems of water control, transportation, and land management are needed to tap the developing countries' vast reserves of land, water, and manpower.

To mobilize massive new concessional resources for these purposes, the United States proposes the early establishment of the new International Fund for Agricultural Development. President Ford has asked me to announce that he will seek authorization of a direct contribution of \$200 million to the fund, provided that others will add their support for a combined goal of at least \$1 billion.

The International Fund for Agricultural Development can be the major source of new capital to attack the most critical problems of the poorest developing countries. The



United States urges the world community to give it prompt and major support.

### The Political Dimension

In every area of endeavor that I have described—economic security, growth, trade, commodities, and the needs of the poorest—the developing countries themselves want greater influence over the decisions that will affect their future. They are pressing for a greater role in the institutions and negotiations by which the world economic system is evolving.

The United States believes that participation in international decisions must be widely shared, in the name of both justice and effectiveness. We believe the following principles should apply:

*The process of decision should be fair.* No country or group of countries should have exclusive power in the areas basic to the welfare of others. This principle is valid for oil. It also applies to trade and finance.

*The methods of participation must be realistic.* We must encourage the emergence of real communities of interest between nations, whether they are developed or developing, producer or consumer, rich or poor. The genuine diversity of interests that exists among states must not be submerged by bloc discipline or in artificial, unrepresentative majorities. For only genuine consensus can generate effective action.

*The process of decision should be responsive to change.* On many issues developing countries have not had a voice that reflects their role. This is now changing. It is already the guiding principle of two of the most successful international bodies, the IMF and the World Bank, where the quotas of oil-producing states will soon be at least doubled—on the basis of objective criteria. Basic economic realities, such as the size of economies, participation in world trade, and financial contributions, must carry great weight.

*Finally, participation should be tailored to the issues at hand.* We can usefully employ many different institutions and procedures. Sometimes we should seek broad consensus in universal bodies, as we are doing this week in this Assembly; sometimes negotiations can more usefully be focused in more limited forums, such as the forthcoming consumer-producer dialogue; sometimes decisions are best handled in large specialized bodies such as the IMF and World Bank, where voting power is related to responsibility; and sometimes most effective action can be taken in regional bodies.

Most relevant to our discussion here is the improvement of the U.N. system, so that it

can fulfill its charter mandate “to employ international machinery for the promotion of the economic and social advancement of all peoples.” We welcome the thoughtful report by the Secretary General’s group of 25 experts on structural reform in the U.N. system. We will seriously consider its recommendations. In our view, an improved U.N. organization must include:

—Rationalization of the U.N.’s fragmented assistance programs;

—Strengthened leadership within the central Secretariat and the entire U.N. system for development and economic cooperation;

—Streamlining of the Economic and Social Council;

—Better consultative procedures to insure effective agreement among members with a particular interest in a subject under consideration; and

—A mechanism for independent evaluation of the implementation of programs.

The United States proposes that 1976 be dedicated as a year of review and reform of the entire U.N. development system. An intergovernmental committee should be formed at this session, to begin work immediately on recommendations that can be implemented by the General Assembly in its 1976 session. We consider this a priority in any strategy for development.

Mr. President [Abdelaziz Bouteflika, Foreign Minister of Algeria], Mr. Secretary General, colleagues, ladies and gentlemen: I began today with the statement that we have, this week, an opportunity to improve the condition of mankind. This fact alone represents an extraordinary change in the human condition. Throughout history, man’s imagination has been limited by his circumstances—which have now fundamentally changed. We are no longer confined to what Marx called “the realm of necessity.” And it has always been the case that the wisest realists were those who understood man’s power to shape his own reality.

The steps we take now are not limited by our technical possibilities, but only by our political will. If the advanced nations fail to respond to the winds of change, and if the developing countries choose rhetoric over reality, the great goal of economic development will be submerged in our common failure. The speeches made here this week will be placed alongside many other lofty pronouncements made over decades past in this organization on this subject, buried in the archives of oblivion.

But we would not all be here if we did not believe that progress is possible and that it is imperative.

The United States has proposed a program of action. We are prepared to contribute, if we are met in a spirit of common endeavor.

—We have proposed steps to improve basic economic security—to safeguard the world economy, and particularly the developing countries, against the cruel cycles that undermine their export earnings.

—We have proposed measures to improve developing countries' access to capital, new technology, and management skills to lift themselves from stagnation onto the path of accelerating growth.

—We have proposed structural improvements in the world trading system, to be addressed in the ongoing multilateral trade negotiations, to enhance developing countries' opportunities to earn their own way through trade.

—We have proposed a new approach to improving market conditions in food and

other basic commodities, on which the economies and indeed the lives of hundreds of millions of people depend.

—We have proposed specific ways of giving special help to the development needs of the poorest countries.

My government does not offer these proposals as an act of charity, nor should they be received as if due. We know that the world economy nourishes us all; we know that we live on a shrinking planet. Materially as well as morally, our destinies are intertwined.

There remain enormous things for us to do. We can say once more to the new nations: We have heard your voices. We embrace your hopes. We will join your efforts. We commit ourselves to our common success.



## Building International Order

*Address by Secretary Kissinger<sup>1</sup>*

At the outset, let me say how pleased we are that our deliberations this year take place under the Presidency of the distinguished Prime Minister of Luxembourg [Gaston Thorn]. His contribution to European cooperation, his diplomatic skills, his dedication to democracy give us confidence that this 30th session will be marked by a constructive and creative spirit.

And I want also to pay tribute to the distinguished Secretary General [Kurt Waldheim], whose fairness, leadership, and tireless effort are dedicated to carrying this organization forward into a new era of cooperation for world peace.

This century has seen war and cataclysm on an unprecedented scale. It has witnessed the breakdown of established patterns of order and practices of international conduct. It has suffered global economic depression and cycles of famine. It has experienced the birth of thermonuclear weapons and the proliferation of armaments around the planet. Ours is a world of continuing turmoil and ideological division.

But this century has also seen the triumph of the principle of self-determination and national independence. A truly global community has begun to evolve, reflected in a multitude of institutions of international cooperation. We have shaped new methods of peaceful settlement, arms limitation, and new institutions to promote economic development and to combat hunger and disease worldwide. And our very presence here signifies the hope of all nations that disputes and conflicts can be resolved by cooperative means.

As we deliberate the future, an event of potentially vast implication has just been achieved in this organization: the unanimous agreement produced by the seventh special session of the General Assembly on measures to improve the economic condition of mankind. Despite differences of ideology and approaches to economic development, the nations assembled here began to move toward the recognition that our interdependence spells either common progress or common disaster, that in our age no nation or group of nations can achieve its aims by pressure or confrontation and that the attempt to do so would damage everyone. They agreed to

transcend the stereotypes of the past in the search for a cooperative future. The special session forged a sense of common purpose based on the equality and cooperation of states. Now we must dedicate ourselves to implementing this consensus.

Let us carry forward the spirit of conciliation into the deliberations of this regular session. Let us address the issues of world peace—the foundation of all else we do on this planet—with this same consciousness of our common destiny.

It is our common duty to avoid empty slogans and endless recriminations. We must instead sustain, strengthen, and extend the international environment we and our posterity will require for the maintenance of peace and the furtherance of progress.

Only in a structure of cooperation can disputes be settled and clashes contained. Only in an atmosphere of conciliation can the insecurity of nations, out of which so much conflict arises, be eased and habits of compromise and accommodation be nurtured. Social progress, justice, and human rights can thrive only in an atmosphere of reduced international tension.

The United States stands ready to dedicate itself to cooperative efforts to harmonize the different perspectives of the world community in creating a new sense of security and well-being. We do so not out of fear, for we are better able to sustain ourselves in situations of confrontation than most other nations. Nor do we do so out of a sense of guilt, for we believe that we have on the whole used our power for constructive ends.

We affirm our common destiny because of our recognition of global interdependence and because global peace requires it. Indeed, there is no realistic alternative to shared responsibility in dealing with the international agenda of peace, security, economic well-being, and justice.

Let me set forth the views of the United States on the work we face in each of these areas.

### Building for Peace

Our first and transcendent concern is for peace in the world.

Peace is never automatic. It is more than the absence of war. And it is inseparable from security.

A world in which the survival of nations

<sup>1</sup> Made before the 30th United Nations General Assembly on Sept. 22.



is at the mercy of a few would spell oppression and injustice and fear. There can be no security without equilibrium and no safety without restraint. Only when the rights of nations are respected, when accommodation supplants force, can man's energies be devoted to the realization of his deepest aspirations.

The United States will pursue the cause of peace with patience and an attitude of conciliation in many spheres:

—We shall nurture and deepen the ties of cooperation with our friends and allies.

—We shall strive to improve relations with countries of different ideology or political conviction.

—We shall always stand ready to assist in the settlement of regional disputes.

—We shall intensify our efforts to halt the spiral of nuclear armament.

—We shall strive to improve man's economic and social condition and to strengthen the collaboration between developed and developing nations.

—We shall struggle for the realization of fundamental human rights.

#### *Relations With Allies and Friends*

America's close ties with the industrial democracies of North America, Western Europe, and Japan have been the cornerstone of world stability and peace for three decades. Today, looking beyond immediate security and defense, we are working together on a range of new issues. Through our consultations, we have begun joint efforts to ease international tensions, to coordinate our national policies for economic recovery, to work together on common challenges such as energy and the environment, and to address the great issues that concern the developing countries.

These endeavors are in pursuit of universal goals; they are not directed at any nation or group of nations. They are designed as building blocks for a broader international community.

In the same spirit, the United States has opened a new dialogue with its neighbors in Central and Latin America. We have taken important steps toward resolving major political problems; we have begun close consultations for cooperation in promoting economic and social development. Alliance relations in the Western Hemisphere have a long history and great promise for the future. With imagination and dedication, we can make inter-American cooperation on the tasks of development an example and a pillar of the global community.

#### *East-West Relations*

Peace, to be secure, must place on a more durable and reliable basis the relations be-

tween the nations possessing the means to destroy our planet.

In recent years, the bipolar confrontation of the last generation has given way to the beginning of dialogue and an easing of direct conflict. In this body, of all organizations, there is surely an appreciation of the global importance of lessened tension between the nuclear superpowers. All nations have a stake in its success. When weapons of mass destruction can span continents in minutes, nuclear conflict threatens the survival of all mankind.

We recognize that the suspicion and rivalry of a generation will not be swept away with a document or a conference. Real ideological and political differences exist. We shall firmly defend our vital interests and those of our friends. But we shall never lose sight of the fact that in our age peace is a practical necessity as well as a moral imperative. We shall pursue the relaxation of tensions on the basis of strict reciprocity. We know the difference between posturing and policy; we will not encourage the belief that anyone can benefit from artificial tensions. We are deeply conscious that we owe it to future generations not to be swayed by momentary passions.

The state of U.S.-Soviet relations today and just a decade ago present a dramatic contrast. The world is no longer continually shaken by chronic and bitter confrontations. Periodic consultations—including at the highest level—encourage restraint and amplify areas of mutual interest. The forthcoming meeting between President Ford and General Secretary Brezhnev should strengthen this process.

Principles of mutual restraint have been enunciated at various summit meetings; they were reaffirmed by the Conference on Security and Cooperation in Europe two months ago. These principles provide a standard of behavior by which our actions will be tested. If they are observed—as we insist—and if neither side seeks unilateral advantage, the specter of general war will be lifted not only from our own people but from all nations. There is no more important task before us.

We have likewise pursued more constructive and beneficial relationships with the countries of Eastern Europe. The United States has many traditional and deep-rooted bonds of friendship with the proud peoples of that region. We see widening possibilities for practical cooperation as the barriers between East and West in Europe diminish.

There is no relationship to which the United States assigns greater significance than its new ties with the People's Republic of China. We believe that the well-being and progress of a quarter of humanity is an important element in global stability.



The hostility of decades between our two nations has been replaced by a relationship of mutual respect which is now a durable feature of the world scene. It serves not only the interest of our two countries but also the broader interests of peace and stability in Asia and around the world. President Ford plans to visit the People's Republic of China later this year to confirm the vitality of our relationship and to advance the ties between us on the basis of the strict implementation of the Shanghai communique. We take seriously the process of normalizing our relationship. We are dedicated to pursuing it.

#### *Containing Regional Conflicts*

The world community must find a way to contain or resolve regional conflicts before they spread into global confrontations.

Nowhere has the danger been greater than in the *Middle East*. Nowhere has the need for persistent and imaginative negotiation between suspicious rivals been more evident. Nowhere is there greater promise of moving from perennial crisis toward peace. Nowhere has the U.N. Security Council established a clearer framework of principles than in its Resolutions 242 and 338.

The road toward a lasting peace stretches long and hard before us. The Middle East has seen more than its share of dashed hopes and disappointment. But the conclusion of the recent Sinai agreement marks a major step forward. It is the first agreement in the long and tragic history of the Arab-Israeli conflict which is not the immediate consequence of hostilities. It could mark a turning point.

The agreement deserves the support of all the countries assembled here, because every nation here has an interest in progress toward peace in the Middle East. It is another step in the process launched by Security Council Resolution 338. The alternative was a continuing stalemate which would have led over time to another war, creating a serious threat to world peace and the prospect of broad global economic dislocation.

Neither fear of the future nor pride should obscure the fact that an unusual opportunity for further progress on all issues now exists. But opportunities must be seized or they will disappear. I want to emphasize that the United States did not help negotiate this agreement in order to put an end to the process of peace, but to give it new impetus.

President Ford has stated that we will not accept stalemate and stagnation in the Middle East. That was true before the Sinai agreement was signed; it remains true today. The objective of our policy is not merely to create another temporary truce, but to sustain the momentum of negotiations. The United States is determined to take every feasible step to help promote further prac-

tical progress toward final peace.

As a first step, it is essential that the Sinai agreement be carried out impeccably, within the terms and the time frame that are stipulated.

In the improved atmosphere thus created, the United States stands ready to participate in any promising initiative toward peace at the request of the parties concerned.

We have made clear that we are prepared to make a serious effort to encourage negotiations between Syria and Israel.

We also intend to consult over the coming weeks with all concerned regarding the reopening of the Geneva Conference, which met at an early crucial phase. As cochairmen of the Geneva Conference together with the Soviet Union, our two countries have special responsibilities in this regard.

We are prepared also to explore possibilities for perhaps a more informal multilateral meeting to assess conditions and to discuss the future.

The United States seeks no special benefit; we do not attempt to exclude any country. We will cooperate with any nation that is willing to make a contribution. We have no preference for any particular procedure. We will support whatever process seems most promising. Our approach will continue to be both flexible and determined.

The search for final peace must be conducted on a wide basis. We are in frequent touch with governments in the Middle East. We have already begun discussions with the Soviet Union with a view to assessing the current situation in the Middle East and weighing possible diplomatic approaches to bring about a just and durable peace in accordance with Security Council Resolutions 242 and 338. While we have had important differences with the Soviet Union, our two countries have held parallel views that the situation in the Middle East poses grave dangers and that partial steps must be part of and contribute to progress toward a comprehensive settlement.

The role of the world organization remains essential. If this organization had no other accomplishment than its effective peacekeeping role in this troubled area, it would have well justified itself. These soldiers of peace, wearing the blue beret of the United Nations as members of UNTSO, UNEF, UNDOF [U.N. Truce Supervision Organization, U.N. Emergency Force, U.N. Disengagement Observer Force], have become indispensable to the maintenance of the two 1974 disengagement accords as well as the Sinai agreement. I want to take this occasion to salute Secretary General Waldheim and his staff and General Siilasvuo [Lt. Gen. Ensio Siilasvuo, of Finland], the Chief Coordinator of the U.N. peacekeeping missions in the Middle East, and all the men and women from many



countries who have served in the forces without an enemy.

The deliberations of this Assembly regarding the Middle East also play a central role. They can encourage progress or exacerbate tensions.

Procedural decisions can be based on the recognition that dialogue requires universality of membership, or they can fuel a futile self-defeating effort to discriminate—in violation of the charter—against a member state whose participation is vital for a solution.

The Middle East will continue to be an area of anguish, turmoil, and peril until a just and durable peace is achieved. Such a peace must meet the principal concerns and interests of all in the area; among these are territorial integrity, the right to live in peace and security, and the legitimate interests of the Palestinians.

In the Middle East today there is a yearning for peace surpassing any known for three decades. Let us not doom the region to another generation of futile struggle. Instead, let the world community seize the historic opportunity before it. The suffering and bravery of all the peoples of the Middle East cry out for it; the hopes and interests of all the world's peoples demand it. The United States promises its full dedication to further progress toward peace.

The contribution of the United Nations to the process of peace is essential in *Cyprus* as well. The Secretary General has the responsibilities of organizing the peacekeeping forces on the island and of facilitating the talks between the leaders of the Greek and Turkish communities.

Strict maintenance of the cease-fire is imperative. For this we look to the restraint of the parties and the efficacy of the U.N. peacekeeping forces.

We know that the world community shares our sense of urgency that the negotiating process be resumed and that the parties demonstrate flexibility and statesmanship. The status quo on the island must not become permanent; a rapid and equitable solution is essential. The Secretary General has worked tirelessly and imaginatively under the most difficult circumstances to narrow the differences. He deserves the full support of the parties and of every nation here.

The details of a *Cyprus* settlement are for the two communities themselves to decide. However, in keeping with U.N. resolutions which the United States has fully supported, the following principles are essential:

—A settlement must preserve the independence, sovereignty, and territorial integrity of *Cyprus*.

—It must insure that both the Greek Cypriot and the Turkish Cypriot communi-

ties can live in freedom and have a large voice in their own affairs.

—The present dividing lines cannot be permanent. There must be agreed territorial arrangements which reflect the economic requirements of the Greek Cypriot community and take account of its self-respect.

—There must be provision for the withdrawal of foreign military forces other than those present under the authority of international agreements.

—And there must be security for all Cypriots; the needs and wishes of the refugees who have been the principal victims and whose tragic plight touches us all must be dealt with speedily and with compassion.

These goals match the aspirations of the overwhelming majority of the Cypriot people as well as the interests of all neighboring states.

Another area where this organization will be called upon to take responsible action is *the Korean Peninsula*.

This requires, above all, maintenance of the armistice, pending agreement by all of the parties most directly concerned to replace it with a new arrangement. The existing armistice is the only legal instrument committing the parties to maintain the peace. It is a carefully designed structure for monitoring and policing the military demarcation line.

The U.N. commander in chief is a signatory to that agreement. The armistice machinery functions daily. None of the signatories has repudiated it. Nor could they do so without serious risks to the peace of the world.

Since 1972, South and North Korea have pledged themselves to enter into a dialogue and to seek unification without resort to arms. This Assembly in 1973 and 1974 encouraged this process—first in a consensus resolution supporting talks between the two sides; then in a resolution which looked toward termination of the U.N. Command. The United States agrees that 20 years after the end of the Korean war, it is timely to terminate the U.N. Command. We have, in fact, cosponsored a resolution to that effect which is now before you.

It would be foolhardy, however, to terminate the U.N. Command without new arrangements to preserve the integrity of the armistice agreement. In the interest of peace, the United States cannot accept any solution which fails to provide for the continuing validity of the armistice agreement.

The Republic of Korea and the United States have stated their general readiness to meet with representatives of the other side and with other members of the Security Council to discuss termination of the U.N.



Command while preserving the armistice agreement.

Today I can be more specific. The United States and the Republic of Korea, looking forward to the time when a lasting solution of the Korean problem can be achieved, are herewith proposing to the parties of the armistice the convening of a conference to discuss ways to preserve the armistice agreement. At such a meeting, we would also be prepared to explore other measures to reduce tension on the Korean Peninsula, including the possibility of a larger conference to negotiate a more fundamental arrangement.

It would be in keeping with this spirit of dialogue for this body to open its doors to full membership for the two Korean Governments. The United States supports the dual entry of both South and North Korea into the United Nations without prejudice to their eventual reunification. For our part, if North Korea and its allies would move to improve their relations with the Republic of Korea, we would be prepared to take similar reciprocal actions.

It goes without saying that no proposal for security arrangements on the Korean Peninsula which attempts to exclude the Republic of Korea from the discussions can be accepted by the United States. The United Nations can contribute significantly to the process of peace on the Korean Peninsula by supporting a responsible approach.

Over the past year the United States has followed carefully and with great sympathy the efforts to reach peaceful settlements in *southern Africa*.

We welcome the statesmanlike efforts of both black and white African leaders who are seeking to prevent violence and bloodshed and to promote a negotiated settlement in Rhodesia. The differences between the two communities in that country, while substantial, have been narrowed significantly in the last decade. Both sides in Rhodesia and Rhodesia's neighbors—black and white—have an interest in averting civil war. We will support all efforts to bring about a peaceful settlement.

In underlining our goal of peaceful change for southern Africa, I want to emphasize the importance of an early settlement in Namibia. My government's opposition to South Africa's continuing occupation of Namibia and our rejection of South Africa's apartheid system are well known. The United States has consistently conveyed our position on this subject to South Africa. We will continue to do so.

We believe that the people of Namibia should be given the opportunity within a short time to express their views on the political future and constitutional structure

of their country freely and under U.N. supervision.

### **Building International Security**

Peace in the world will be fragile and tenuous without a curb and eventually *an end of the arms race*. This is why the United States has embarked with the Soviet Union upon the difficult and complex negotiation to limit strategic arms. Our objectives are to prevent unchecked destabilizing competition in strategic armaments, to achieve reduction of these arms, to lessen further the likelihood of hasty decisions in time of crisis, and to ease the economic burden of the nuclear arms race.

The Vladivostok accord of last fall marked a major step toward achieving these goals. When the agreement in principle is translated into a treaty, agreed ceilings will be placed on strategic force levels for a 10-year period. This unprecedented step will slow the pace of new arms programs, especially those driven by fear of major deployments by the other side. And it will enhance prospects for international stability and for political accommodation in other areas.

The United States is actively engaged in other arms control negotiations. Together with the Soviet Union, we have made progress toward establishing a regime for peaceful nuclear explosions. And we have agreed to set a threshold on the underground testing of nuclear weapons. These are significant steps toward a verifiable comprehensive test ban.

In addition, the United States and the U.S.S.R. have presented to the Conference of the Committee on Disarmament texts of a Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. These techniques are still at a primitive stage of development, but man's mastery of environmental forces continues to advance. Misuse of this knowledge might open new avenues of military competition and wreak untold and irreversible harm upon all humanity. We urge the conference to complete its consideration rapidly.

Another urgent task is a substantial reduction in the high levels of military forces now confronting each other in various parts of the world. The United States believes that the time has come to give new impetus to the negotiations on mutual and balanced force reductions in Central Europe. The significance of the Conference on Security and Cooperation in Europe depends importantly on whether we can achieve progress in this area. An agreement that enhances mutual security in Central Europe is feasible and essential. We will work toward this goal.

The world faces a paradox with respect to



*the proliferation of nuclear energy.* Men have fashioned from the atom weapons which can in minutes end the civilization of centuries. Simultaneously, the atom is fast becoming a more and more essential source of energy. It is clear that the cost and eventual scarcity of oil and other fossil fuel will increasingly spread nuclear power around the world in the decades ahead.

But the spreading of nuclear power poses starkly the danger of proliferating nuclear weapons capabilities—and the related risks of the theft of nuclear materials, blackmail by terrorists, accidents, or the injection of the nuclear threat into regional political conflicts. Now is the time to act. If we fail to restrain nuclear proliferation, future generations will live on a planet shadowed by nuclear catastrophe.

Over the past year, the United States has repeatedly urged new efforts among the supplier states to strengthen and standardize safeguards and controls on export of nuclear materials. We must not allow these safeguards to be eroded by commercial competition. We must insure the broad availability of peaceful nuclear energy under safe, economical, and reliable conditions.

The United States has intensified its efforts within the International Atomic Energy Agency (IAEA) and with other nations to broaden and strengthen international standards and safeguards and has proposed an international convention setting standards to protect the physical security of nuclear materials in use, storage, or transfer.

The United States continues to urge the widest possible adherence to the Nonproliferation Treaty and the associated safeguard measures of the IAEA.

The greatest single danger of unrestrained nuclear proliferation resides in the spread under national control of reprocessing facilities for the atomic materials in nuclear power plants. The United States therefore proposes—as a major step to reinforce all other measures—the establishment of multinational regional nuclear fuel cycle centers. These centers would serve energy needs on a commercially sound basis and encourage regional energy cooperation. Their existence would reduce the incentive for small and inefficient reprocessing facilities, limit the possibility of diverting peaceful nuclear materials to national military use, and create a better framework for applying effective international safeguards.

We urge that groups of nations begin now to explore this concept and that all states support the IAEA's work in this field.

#### **Building Economic Well-Being**

In the last two years, the world community has been reminded dramatically to

what extent economic relations are an essential foundation of the international order. Economic conditions not only underpin every society's ability to achieve its national goals, but all national economies are sustained by the global economic system. The conduct of our economic affairs will therefore determine to an extraordinary degree whether our political relations will be based on cooperation or conflict.

It would be one of history's most tragic ironies if, at a time when we are putting behind us the tensions of the cold war, we were to enter a new period of conflict between North and South, rich and poor. At the recently concluded special session, the United States called for an end to the sterile confrontation of the past. We stated that when the ancient dream of mankind—a world without poverty—becomes a possibility, our moral convictions also make it a duty. And we emphasized that only cooperation—not extortion—can achieve this goal.

The special session gives us ground for hope that—at least for the immediate future—a choice has been made to turn away from confrontation toward cooperation. The United States is proud to support the final document which is the product of the arduous effort and dedication of so many in this chamber.

The United States considers the achievements of the special session a beginning, not an end. As recommended by the final report, we must now move forward in available forums to give reality and content to the objectives on which we have agreed. In the difficult negotiations ahead, my government will participate energetically in a cooperative and conciliatory spirit.

#### **Building for Justice**

Beyond peace, security, and prosperity lies a deeper universal aspiration for dignity and equal opportunity. Mankind will never be spared all the tragedies inherent in the cycle of life and death. But we do have it in our power to eliminate or ease the burden of social tragedy and of organized injustice.

The United States has therefore traditionally been an advocate of extending the reach of international law in international affairs. We have offered our help to the victims of disease and natural disaster. We have been a champion of liberty and a beacon to the oppressed. There is no longer any dispute that international human rights are on the agenda of international diplomacy.

The reach of international law must extend to the last frontiers of our planet, the oceans. They are the common heritage of mankind, but they can turn into arenas of conflict unless governed by law. They hold



untapped sources of energy, minerals, and protein; their environmental integrity is crucial to our survival.

The United States welcomed the U.N. mandate for a comprehensive treaty governing the use of the oceans and their resources. Last month in Montreal, I set forth our approach to this negotiation and urged that next year's session of the Law of the Sea Conference move matters to a rapid and successful conclusion. No international negotiation is more vital for long-term political and economic stability and the prosperity of our globe.

International law must also come to grips with international terrorism. Innumerable innocent lives have been lost as a consequence of the lack of internationally accepted standards specifically designed to avert unlawful and dangerous interference with civil aviation. The hijacking of aircraft, the kidnapping and murder of innocent civilian victims for presumed political gain remain a plague on civilized man. This remains one of the underdeveloped areas of international law which merits the most urgent attention of this organization.

Compassion for our fellow men requires that we mobilize international resources to combat the age-old scourges of mankind—disease, famine, and natural disaster. We are pleased that a concerted effort has been undertaken by the World Health Organization and interested governments, in response to our initiative at the last General Assembly, to control schistosomiasis, a disease which afflicts and debilitates over 200 million people in 70 countries and imposes a great human and economic cost.

The great human rights must be recognized, respected, and given reality in the affairs of nations. The earliest U.N. declarations and the recent Helsinki Conference leave no doubt that these are matters of international concern. The United States will support these principles. Throughout the world, in all continents, violations of human rights must be opposed whether they are inflicted by one race upon another—or upon members of the same race. Human rights must be cherished regardless of race, sex, or religion. There can be no double standard.

The U.N. Human Rights Commission has taken its first steps against gross violations

of human rights where serious and reliable allegations are submitted by individuals. We support these steps. The organized concern of the world community can be a potent weapon in the war against degradation of human values.

One of the most persistent and serious problems is torture, a practice which all nations should abhor. It is an absolute debasement of the function of government when its overwhelming power is used not for people's welfare but as an instrument of their suffering.

The United States urges this Assembly to adopt the declaration of the recent world congress on this issue in Geneva. In addition, we propose that this General Assembly establish a group of experts, to be appointed by the Secretary General, to study the nature and extent of torture in the world today and to report back to the next Assembly.

Mr. President, this organization was created in the belief that the universality of the human race can be reflected in the conduct of international affairs. This chamber symbolizes the hope that mankind places in the force of nations working together in the common interest with reason, responsibility, and mutual respect. The problems we face are complex and perilous. The sterile slogans of yesterday, the solutions of the past, the dwelling upon old resentments, can only widen the gaps between us and allow the dangers to peace and the well-being of our peoples to fester and grow.

We have it in our power to prove to future generations that the last quarter of the 20th century was not an era of violence and conflict, but one of the creative epochs of world history.

My country's history, Mr. President, tells us that it is possible to fashion unity while cherishing diversity, that common action is possible despite the variety of races, interests, and beliefs we see here in this chamber. Progress and peace and justice are attainable.

So we say to all peoples and governments: Let us fashion together a new world order. Let its arrangements be just. Let the new nations help shape it and feel it is theirs. Let the old nations use their strengths and skills for the benefit of all mankind. Let us all work together to enrich the spirit and to ennoble mankind.

APPENDIX II: PRINCIPAL ORGANS OF THE UNITED NATIONS

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GENERAL ASSEMBLY

The General Assembly is the only principal organ of the United Nations on which all 144 members are represented. They are:

Afghanistan	Fed. Rep. of Germany	Nigeria
Albania	Ghana	Norway
Algeria	Greece	Oman
Argentina	Grenada	Pakistan
Australia	Guatemala	Panama
Austria	Guinea	Papua New Guinea
Bahamas	Guinea-Bissau	Paraguay
Bahrain	Guyana	Peru
Bangladesh	Haiti	Philippines
Barbados	Honduras	Poland
Belgium	Hungary	Portugal
Benin	Iceland	Qatar
Bhutan	India	Romania
Bolivia	Indonesia	Rwanda
Botswana	Iran	São Tomé and Príncipe
Brazil	Iraq	Saudi Arabia
Bulgaria	Ireland	Senegal
Burma	Israel	Sierra Leone
Burundi	Italy	Singapore
Byelorussian S.S.R.	Ivory Coast	Somalia
Cambodia	Jamaica	South Africa
Cameroon	Japan	Spain
Canada	Jordan	Sri Lanka
Cape Verde	Kenya	Sudan
Central African Rep.	Kuwait	Surinam
Chad	Laos	Swaziland
Chile	Lebanon	Sweden
China	Lesotho	Syria
Colombia	Liberia	Tanzania
Comoros	Libya	Thailand
Congo	Luxembourg	Togo
Costa Rica	Malagasy Republic	Trinidad and Tobago
Cuba	Malawi	Tunisia
Cyprus	Malaysia	Turkey
Czechoslovakia	Maldives	Uganda
Denmark	Mali	Ukrainian S.S.R.
Dominican Republic	Malta	U.S.S.R.
Ecuador	Mauritania	United Arab Emirates
Egypt	Mauritius	United Kingdom
El Salvador	Mexico	United States
Equatorial Guinea	Mongolia	Upper Volta
Ethiopia	Morocco	Uruguay
Fiji	Mozambique	Venezuela
Finland	Nepal	Yemen (Aden)
France	Netherlands	Yemen (Sana)
Gabon	New Zealand	Yugoslavia
Gambia	Nicaragua	Zaire
German Dem. Rep.	Niger	Zambia



The General Assembly held its seventh special session, devoted to development and international economic cooperation, in New York, Sept. 1-16. It was decided that the officers and the chairmen of the seven main committees should be the same as for the 29th regular session and that where chairmen from the 29th session were not present they should be replaced by a member of their own delegation. In addition, the Assembly established an Ad Hoc Committee (of the whole) for the session and decided that its chairman, Jan Pieter Pronk (Netherlands), should be accorded full rights of membership in the General Committee (steering committee). Under the Assembly's rules of procedure the General Committee consists of the President, the 17 Vice Presidents, and the chairmen of the seven main committees.

The 29th regular session of the General Assembly, which had been suspended Dec. 18, 1974, reconvened on Sept. 16, 1975, decided to include the item on the situation in the Middle East in the draft agenda of the 30th session, and adjourned the same day.

The 30th regular session of the Assembly convened Sept. 16 and adjourned Dec. 17. The Assembly elected Gaston Thorn (Luxembourg) President, and the chairmen of the delegations of Bahrain, Bangladesh, Barbados, Bulgaria, China, Cuba, France, Mongolia, Mozambique, Norway, Peru, Senegal, Tunisia, U.S.S.R., United Kingdom, United States, and Zaire as the 17 Vice Presidents.

The chairmen of the seven main committees, on which each member may be represented, were:

First (Political and Security)--Edouard Ghorra (Lebanon)  
Special Political--Roberto Martínez Ordóñez (Honduras)  
Second (Economic and Financial)--Olof Rydbeck (Sweden)  
Third (Social, Humanitarian, and Cultural)--Ladislav Šmíd  
(Czechoslovakia)  
Fourth (Trust and Non-Self-Governing Territories)--  
F. Joka-Bangura (Sierra Leone)  
Fifth (Administrative and Budgetary)--Christopher R. Thomas  
(Trinidad and Tobago)  
Sixth (Legal)--Frank Xavier Njenga (Kenya).

#### SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending Dec. 31 of the year given in the heading:

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1975: Byelorussian S.S.R., Cameroon, Costa Rica, Iraq, Mauritania.

1976: Guyana, Italy, Japan, Sweden, Tanzania.

The Assembly elected Benin, Libya, Panama, and Romania on Oct. 20 and Pakistan on Oct. 23 for terms beginning Jan. 1, 1976.

### ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending Dec. 31 of the year given in the heading:

1975: Algeria, Brazil, Fiji, France, Federal Republic of Germany, Guatemala, Guinea, Indonesia, Mali, Mongolia, Netherlands, Senegal, Spain, Trinidad and Tobago, Turkey, Uganda, Venezuela, Yugoslavia.

1976: Australia, Belgium, Colombia, Congo, Egypt, German Democratic Republic, Iran, Italy, Ivory Coast, Jamaica, Jordan, Liberia, Mexico, Romania, Thailand, United States, Yemen (Aden), Zambia.

1977: Argentina, Bulgaria, Canada, China, Czechoslovakia, Denmark, Ecuador, Ethiopia, Gabon, Japan, Kenya, Norway, Pakistan, Peru, U.S.S.R., United Kingdom, Yemen (Sana), Zaire.

On Oct. 20 the General Assembly elected Afghanistan, Austria, Bangladesh, Bolivia, Cuba, Greece, Malaysia, Nigeria, Portugal, Togo, and Tunisia, and reelected Algeria, Brazil, France, Federal Republic of Germany, Uganda, Venezuela, and Yugoslavia for terms beginning Jan. 1, 1976.

ECOSOC held its 1975 organizational session and its 58th session in New York, Jan. 13, 15, 28, and Apr. 8-May 8, respectively. It held the first part of its 59th session in Geneva, July 2-31, and the resumed part of its 59th session in New York, Aug. 29 and Nov. 10.

### TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of two members (marked with a \*) that administer territories and the four permanent members of the Security Council that do not administer territories:

\*Australia, China, France, U.S.S.R., United Kingdom,  
\*United States.

The Trusteeship Council held its 42nd session in New York, May 27-June 7 and Aug. 28-29.

### INTERNATIONAL COURT OF JUSTICE

The International Court consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending Feb. 5 of the year given in parentheses. Members are listed in order of precedence.

Manfred Lachs (Poland) (1976), President  
Fouad Ammoun (Lebanon) (1976), Vice President  
Isaac Forster (Senegal) (1982)



André Gros (France) (1982)  
Cesar Bengzon (Philippines) (1976)  
Sture Petré (Sweden) (1976)  
Charles D. Onyeama (Nigeria) (1976)  
Hardy C. Dillard (United States) (1979)  
Louis Ignacio-Pinto (Benin) (1979)  
Federico de Castro (Spain) (1979)  
Platon D. Morozov (U.S.S.R.) (1979)  
Eduardo Jiménez de Aréchaga (Uruguay) (1979)  
Sir Humphrey Waldock (United Kingdom) (1982)  
Nagendra Singh (India) (1982)  
José María Ruda (Argentina) (1982)

On Nov. 17 the General Assembly and the Security Council, voting independently but concurrently, elected Taslim Olawale Elias (Nigeria), Hermann Mosler (Federal Republic of Germany), Shigeru Oda (Japan), and Salah El Dine Tarazi (Syria) and reelected Manfred Lachs for terms beginning Feb. 6, 1976.

#### SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On Dec. 22, 1971, the 26th General Assembly appointed Kurt Waldheim (Austria) Secretary General for a 5-year term beginning Jan. 1, 1972, and ending Dec. 31, 1976.

### APPENDIX III: UNITED STATES MISSIONS

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#### U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communication for the U.S. Government with the UN organs, agencies, and commissions at the Headquarters and the 136 other permanent missions accredited to the United Nations and 7 nonmember observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York. In 1975 the United States participated in 44 conferences and meetings held under UN auspices in New York, in addition to the 14-week session of the General Assembly.

The chief of mission, who has the rank of ambassador, is the U.S. Representative to the United Nations; he also represents the United States in the Security Council. He is assisted by other persons of appropriate title, rank, and status, who are appointed by the President. These persons, at the direction of the U.S. Representative, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council.

The mission has a staff consisting of political, economic, social, financial, legal, military, public affairs, and administrative advisers. In 1975 approximately 136 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objectives in UN organs and bodies; (2) carrying out consultation, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government," in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations; the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations (entered into force with respect to the United States Apr. 29, 1970), which deal inter alia with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.



U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission carries out instructions, as transmitted by the Secretary of State, and serves as the channel of communication for the U.S. Government with these organizations and UN activities in Geneva. The mission maintains liaison with the 103 other permanent missions and the 3 nonmember observer missions located in Geneva, as well as with a large number of nongovernmental organizations such as the International Committee of the Red Cross and a number of voluntary agencies involved in humanitarian affairs.

The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, the UN Disaster Relief Office, the Commission on Narcotic Drugs, the Commission on Human Rights, and the UN Fund for Drug Abuse Control), and in other international bodies such as GATT, CCD, and the Intergovernmental Committee for European Migration. The mission represents U.S. interests also in the five specialized agencies which have their headquarters in Geneva: ILO, WHO, WMO, ITU, and WIPO. In the performance of this the mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, scientific, agricultural, textile, public affairs, humanitarian, and administrative advisers. In 1975, an average of 106 Americans, including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 50 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these. The mission also supported the permanent delegations to the Multilateral Trade Negotiations and SALT. In 1975, besides the Multilateral Trade Negotiations and SALT, the United States participated in 412 conferences and meetings conducted in Geneva.

OTHER U.S. MISSIONS

The United States also maintains missions at the headquarters of IAEA and UNIDO in Vienna and offices of a U.S. Representative at the headquarters of FAO (and WFP) in Rome, ICAO in Montreal, and UNESCO in Paris. Late in 1975, a new office was established in Nairobi for liaison with UNEP.

APPENDIX IV: UNITED STATES REPRESENTATIVES

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Permanent Representative and Chief of U.S. Mission to the United Nations: John Scali (through June 29); Daniel P. Moynihan (from June 30)

Deputy Permanent Representative to the United Nations: W. Tapley Bennett, Jr.

Deputy Permanent Representative on the Security Council: William E. Schaufele, Jr. (through Aug. 21); Albert W. Sherer, Jr. (from Aug. 22)

Representative on the Economic and Social Council: Clarence Clyde Ferguson, Jr. (through Aug. 28); Jacob M. Myerson (from Aug. 29)

Alternate Permanent Representative for Special Political Affairs: Barbara M. White

U.S. Representative to the European Office of the United Nations and Other International Organizations: Francis L. Dale

Deputy U.S. Representative to the European Office of the United Nations and Other International Organizations: Manuel Abrams

GENERAL ASSEMBLY

Seventh Special Session (New York, Sept. 1-16) and 30th Regular Session (New York, Sept. 16-Dec. 17)

Representatives: Henry A. Kissinger;<sup>1/</sup> Daniel P. Moynihan; W. Tapley Bennett, Jr.; Donald M. Fraser; J. Herbert Burke; Clarence M. Mitchell, Jr.

Alternates: Albert W. Sherer, Jr.; Jacob M. Myerson; Barbara M. White; Carmen Maymi; John H. Haugh

Advisory Commission of UNRWA

Representative: G. McMurtrie Godley

Working Group on the Financing of UNRWA

Representative: Charles O. Coudert (through June 7); Joseph P. Lorenz (from June 8)

UN Scientific Committee on the Effects of Atomic Radiation  
24th session (New York, Sept. 15-19)

Representative: Richard H. Chamberlain, M.D.

Alternate: Austin M. Brues, M.D.

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<sup>1/</sup> The Secretary served as chairman of the delegation, ex officio, during his presence at the sessions.



Committee on the Peaceful Uses of Outer Space

18th session (New York, June 9-20)

Representative: W. Tapley Bennett, Jr.

Alternates: Stephen E. Doyle, Richard G. Long, Ronald F. Stowe

Conference of the Committee on Disarmament

(Geneva, Mar. 4-Apr. 10 and June 24-Aug. 28)

Representative: Joseph Martin, Jr.

Deputy: Robert Drexler (Mar. 4-Apr. 10)

Alternate: Walker Givan (June 24-Aug. 28)

Trade and Development Board of UNCTAD

6th special session (Geneva, Mar. 10-21)

Representative: Francis L. Dale

Alternate: Martin Tank

14th session (2nd part) (Geneva, Apr. 29)

Representative: Robert B. Allen

15th session (Geneva, Aug. 5-16, Sept. 30-Oct. 2)

Representative: Francis L. Dale

Alternate: Robert R. Brungart

Special Committee on Peacekeeping Operations

Representative: William E. Schauffele, Jr. (through Aug. 21);  
Joseph P. Lorenz (from Aug. 22)

Industrial Development Board of UNIDO

9th session (Vienna, Apr. 21-May 2)

Representative: William J. Stibravy

Alternates: Marion L. Gribble, Melvin L. Schuweiler

Permanent Representative to UNIDO: William J. Stibravy

UN Commission on International Trade Law

8th session (Geneva, Apr. 1-17)

Representative: Richard D. Kearney

Committee on Relations with the Host Country

Representative: Barbara M. White

Governing Council of UNEP

3rd session (Nairobi, Apr. 17-May 2)

Representative: Christian A. Herter, Jr.

Preparatory Committee for Habitat

1st session (New York, Jan. 15-24 and Aug. 25-29)

Representative: Stanley D. Schiff

Alternate: Ronald Stegall (Aug. 25-29)

Ad Hoc Committee on the Charter of the United Nations

(New York, July 28-Aug. 22)

Representative: W. Tapley Bennett, Jr.

Alternate: Robert B. Rosenstock

Committee on Conferences

Representative: David L. Stottlemeyer

Alternate: Edward E. Keller, Jr.

World Food Council

1st session (Rome, June 23-27)

Representative: Charles W. Robinson

Alternates: James A. Placke, H. Reiter Webb

SECURITY COUNCIL

Representative: John Scali (through June 29); Daniel P. Moynihan (from June 30)

Deputies: W. Tapley Bennett, Jr.; William E. Schaufele, Jr. (through Aug. 21); Albert W. Sherer, Jr. (from Aug. 22)

Military Staff Committee

Representatives: Vice Adm. Joseph P. Moorer, USN; Lt. Gen. Donald H. Cowles, USA (through Sept. 30); Lt. Gen. John W. Vessey, USA (from Nov. 1); Lt. Gen. Marion L. Boswell, USAF

Deputies: Comdr. Edward J. Melanson, Jr., USN (through Mar. 6); Capt. Carl J. Lidel, USN (from July 30); Col. William R. D. Jones, USA; Col. Robert E. Sheridan, USAF (through June 30); Col. Nathaniel A. Gallagher, USAF (from June 9)

TRUSTEESHIP COUNCIL

42nd session (New York, May 27-June 7; Aug. 28-29)

Representative: Barbara M. White

Alternate: Edward E. Johnston (May 27-June 7 only)

ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1975 (New York, Jan. 13, 15, 28)

Representative: Clarence Clyde Ferguson, Jr.

Alternate: Robert W. Kitchen, Jr.

58th session (New York, Apr. 8-May 8)

Representative: Clarence Clyde Ferguson, Jr.

Alternates: Robert W. Kitchen, Jr.; Martin M. Tank

59th session (Geneva, July 2-31)

Representative: Clarence Clyde Ferguson, Jr.

Alternates: Francis L. Dale, Robert W. Kitchen, William J. Stibravy, Martin M. Tank

Resumed 59th session (New York, Aug. 29, Nov. 10)

Representative: Jacob M. Myerson

Alternate: Robert W. Kitchen, Jr.

Commission on Human Rights

31st session (Geneva, Feb. 3-Mar. 7)

Representative: Philip E. Hoffman

Alternate: Warren E. Hewitt



Commission on Narcotic Drugs

26th session (Geneva, Feb. 17-Mar. 1)

Representative: Sheldon B. Vance

Alternates: Robert L. DuPont, Jerry N. Jensen, Donald E. Miller

Population Commission

18th session (New York, Feb. 18-28)

Representative: John Scali

Alternate: Philander P. Claxton, Jr.

Commission for Social Development

24th session (New York, Jan. 6-24)

Representative: Jean Picker

Alternate: Gloria L. Gaston

Statistical Commission

(Did not meet in 1975)

Representative: Joseph W. Duncan

Commission on the Status of Women

(Did not meet in 1975)

Representative: Patricia Hutar

Commission on Transnational Corporations

1st session (New York, Mar. 17-28)

Representative: Seymour J. Rubin

Alternates: Mark B. Feldman, Richard J. Smith

Economic Commission for Africa

3rd meeting of the Conference of Ministers (Nairobi, Feb. 24-28)

Principal U.S. Observer: Charles A. James

Economic and Social Commission for Asia and the Pacific

31st session (New Delhi, Feb. 26-Mar. 7)

Representative: Clarence Clyde Ferguson, Jr.

Alternate: William B. Saxbe

Economic Commission for Europe

30th session (Geneva, Apr. 14-24)

Representative: Francis L. Dale

Alternate: Robert R. Brungart

Economic Commission for Latin America

16th session (Port-of-Spain, May 6-14)

Representative: Barbara M. White

Alternates: Lloyd Ivan Miller, Sidney Weintraub

Economic Commission for Western Asia

2nd session (Beirut, May 5-10)

Observer: Harvey T. Clew

Executive Board of UNICEF

(New York, May 14-30)

Representative: Michael N. Scelsi

Alternate: John J. Hutchings

Committee on Housing, Building, and Planning

9th session (Geneva, Oct. 13-24)

Representative: William R. Miner

Committee on Nongovernmental Organizations

(New York, Mar. 10-14)

Representative: Barbara M. White

Alternate: Guy A. Wiggins

Committee for Program and Coordination

15th session (New York, Mar. 17-24)

Representative: James E. Baker

Alternate: G. Michael Bache

Intergovernmental Committee of the UN/FAO World Food Program

27th session (Rome, Mar. 17-25)

Delegate: Roy D. Morey

Alternates: Paul J. Byrnes, Andrew J. Mair, Arthur Mead, Christopher A. Norred, Jr.

28th session (Rome, Sept. 29-Oct. 3)

Delegate: Robert R. Spitzer

Alternates: Arthur Mead, Christopher A. Norred, Jr.

Executive Committee of the High Commissioner's Program (UNHCR)

26th session (Geneva, Oct. 6-14)

Representative: James M. Wilson, Jr.

Alternate: James L. Carlin

Governing Council of the UNDP

19th session (New York, Jan. 15-Feb. 3)

Representative: Clarence Clyde Ferguson, Jr.

Alternates: Gordon W. Evans, Robert W. Kitchen, Jr.

20th session (Geneva, June 11-30)

Representatives: Daniel Parker (June 11-13), Francis L. Dale

Alternates: Philip Birnbaum (June 11-13), Gordon Evans, Robert W. Kitchen, Jr.

Committee on Natural Resources

4th session (Tokyo, Mar. 24-Apr. 4)

Representative: Clarence Clyde Ferguson, Jr.

Committee on Review and Appraisal

3rd session (New York, May 12-June 6)

Representative: Martin M. Tank

Alternate: Clarence S. Gulick

Preparatory Committee for the Special Session of the General Assembly Devoted to Development and International Economic Cooperation

1st session (New York, Mar. 3-7)

Representative: Robert W. Kitchen

2nd session (New York, June 16-20)

Representative: Clarence Clyde Ferguson, Jr.

Alternate: Martin M. Tank

3rd session (New York, Aug. 18-29)

Representative: Jacob M. Myerson

Alternates: Robert W. Kitchen, Martin Tank



Consultative Committee for the World Conference of the  
International Women's Year

(New York, Mar. 3-14)

Representative: Patricia Hutar

Alternate: Shirley Hendsch

SPECIALIZED AGENCIES AND IAEA

Food and Agriculture Organization

18th FAO Conference (Rome, Nov. 8-27)

Delegate ex officio: Earl L. Butz, Secretary of Agriculture

Delegate: Don Paarlberg

Alternates: Paul J. Byrnes; Curtis Farrar; Roy D. Morey;  
Christopher A. Norred, Jr.; Ralph W. Phillips

65th session, FAO Council (Rome, Mar. 10-14)

Delegate: Roy D. Morey

Alternates: Paul J. Byrnes; Andrew J. Mair; Christopher A.  
Norred, Jr.; Ralph W. Phillips

66th session, FAO Council (Rome, June 9-20)

Delegate: Don Paarlberg

Alternates: Christopher A. Norred, Jr.; Ralph W. Phillips

67th session, FAO Council (Rome, Nov. 3-7)

Delegate: Don Paarlberg

Alternates: Christopher A. Norred, Jr.; Ralph W. Phillips

68th session, FAO Council (Rome, Nov. 28)

Delegate: Don Paarlberg

Alternates: Paul J. Byrnes; Christopher A. Norred, Jr.;  
Ralph W. Phillips

Intergovernmental Maritime Consultative Organization

9th session, IMCO Assembly (London, Nov. 3-14)

Representative: Joel W. Biller

Alternate: Adm. Owen W. Siler, USCG

8th extraordinary session, IMCO Council (London, Nov. 3)

Representative: Joel W. Biller

Alternates: Rear Adm. Roderick Y. Edwards, USCG (ret.);  
Adm. Owen W. Siler, USCG

34th session, IMCO Council (London, June 2-6)

Representative: Richard Bank

Alternates: Rear Adm. Roderick Y. Edwards, USCG (ret.);

Rear Adm. Sidney Wallace, USCG

35th session, IMCO Council (London, Nov. 14)

Representative: Adm. Owen W. Siler, USCG

Alternate: Rear Adm. Roderick Y. Edwards, USCG (ret.)

International Bank for Reconstruction and Development

U.S. Governor, Board of Governors: William E. Simon

Alternate U.S. Governor: William J. Casey (through Mar. 5),  
Charles W. Robinson (from Mar. 6)

U.S. Executive Director: Charles O. Sethness (through June  
16), Charles A. Cooper (from June 17)

Alternate U.S. Executive Director: Hal F. Reynolds

International Civil Aviation Organization

U.S. Representative on ICAO Council and Permanent Representa-  
tive to ICAO: Betty C. Dillon







